

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
AUGUST 5, 2019**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on August 5, 2019 at 7:00 p.m.

Meeting was called to order by Mayor Phil Remke who also gave the invocation.

City Clerk Hewitt called the roll and the following Councilpersons were in attendance: DeWitt, Haynes, Saunders, Vice Mayor David Wood, S. Wood and Mayor Remke. Absent: DeWitt. Also present were City Manager Healy, Public Works Director Stocklask, Police Chief Mitchell, Fire Chief Brandon, Building Inspector Wilson, Parks & Recreation Director White, CPA Goddard, Attorney White and City Clerk Hewitt. Absent: Joe Richmond.

**MINUTES:**

**Regular Council Meeting of July 2, 2019.**

Councilperson S. Wood moved to accept and approve the minutes of the regular council meeting of July 2, 2019, seconded by Councilperson Haynes. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

\* Carole Wood, President of Moundsville Historic Landmarks Commission, presented council members with information packets for a facade grant program. Manager Healy said this matter was being discussed at the policy sub committee meetings.

\* Carl Boso, 305 10<sup>th</sup> Street, asking council why Mr. Kudlak has never been cited for illegal burning at his property on 12<sup>th</sup> Street. Manager Healy said this is an ongoing investigation and will not be discussed by council.

\* Jennifer Rohrig, US Census Bureau - spoke to council on how important the 2020 Census is and announced canvassing the city will begin on August 18, 2019.

Ms. Rohrig will also provide Manager Healy with a proclamation to be signed at the next regular council meeting.

**MANAGER ITEMS:**

City Manager Healy provided the following report to council:

1. The Notice to Proceed has been issued to Wilson Blacktop for the 2019 paving projects. The start date is on or before October 7, 2019, with a completion date of December 6, 2019.

2. Continued update on the new software system: The addition of the Public Safety billing to the Municipal Fee/Garbage billing has caused a delay with the billing process. As a result, bills that were supposed to go out on July 31, have still not been mailed. Moreover, our staff has been burdened with doing extra work to prepare the information to be imported into AccuFund. Many of our residents come in to pay their bills early, so we've fielded a lot of phone calls from people wanting to know why they have not received their bill. Extra phone calls slow the work day down, and bills being sent out late slow the cash flow. Our in-person two-day visit was very helpful, but we still have a long way to go. Continuing, this will be my number one priority until all is up and running and everyone is comfortable with the system and its functions. We cannot continue with late billing.

3. I had an initial TIF Program Meeting last week involving RED. During that meeting, we solidified our map, discussed the process and time line. I have a pre-engagement call scheduled with a TIF specialist attorney later this week. All appears to be on track to complete this by the end of the year.

4. Along with Belomar representatives, Marshall County Commission representatives, and RED representatives, I met with Congressman David McKinley and the State Director of USDA Kris Warner at the Chamber of Commerce office last week to discuss Marshall County. Congressman McKinley spoke of a recent article that noted that seven West Virginia counties are booming – Marshall County being one of them. I discussed our new municipal building with Mr. Warner, inquiring mainly about funding possibilities. I also discussed the age of our police cruiser fleet, and discussed possible grant match funding to continue to update these vehicles. I am working with USDA on a pre-application for this.

5. I attended a ribbon cutting this morning at Buffalo Wild Wings. They are officially open after an approximate four-month closure. Congratulations and we're glad to have them up and running.

6. Follow up to the Manager's Workshop last week, to answer a question on the 5-G process for professional services selection. Code requires a committee of 3-5 people to complete the process.

7. The WV Municipal League Conference is this week, so I will be out of the office the rest of the week. As always, I will be connected via phone, text, or Facebook Messenger.

8. Community Day is August 24. The following activities have been booked: two bounce activities, balloon animals, National Guard rock climbing wall and military vehicle, Boy Scouts inflatable shooting range with instructors, slime activities, face painting, sand art, food and drinks, frozen treats, and candy. Please let me know if you will be able to attend and help at an activity. Thank you.

9. As you can see, we have started to install the A/V equipment in Council Chambers. The microphones will be installed next.

\* Fire Chief Gary Brandon presented the following report to the City Manager and Council:

1. The Month of July was busy month for the Fire Department. The Department ended the month of July with a total of 66 calls, 17 Burning Permits issued (1 resulted in a fine for illegal

burning), 8 Business Inspections, 2 Building Enforcement Inspections, 4 Fire Prevention Presentations and 2 Group Station Tours.

2. MFD handed out a total of 7 (99) Puddle Jumpers, 5 (144) Bicycle Helmets and 5 (74) Smoke Detectors (19) of which were installed by the MFD in the month of June. ( )

Totals for year

7/18/2019

1. MFD members completed flushing and checking of all Fire Hydrants in Zone 2 of the City.

7/21/2019 – 7/26/2019

1. FF Wentzell-Cuc was invited to be an assistant instructor at the Phoenix Fire Camp in Utica, NY.

The camp is a hands-on firefighter and leadership camp for young women ages 14-19 looking to explore firefighting as a career. She assisted with teaching forcible entry, ladder truck operations and familiarization, aerial ladder climb, standpipes, hoselays & making the stretch, search and SCBA confidence, job related physical fitness, and CPAT. Wendi has been invited back as an instructor for 2020.

7/29/2019

1. All MFD members with C-1, S-1, E-4 and E-2 participated in a funeral detail of retired City Firemen (James Mercer). Crew escorted Mr. Mercer to Riverside Cemetery to his final place of rest.

## **OLD BUSINESS:**

### **Items to be Discussed by Council.**

\* Councilperson S. Wood asked if the city's new website will have online bill pay options? Manager Healy confirmed the online bill pay.

\* Councilperson S. Wood asked if TSG was able to replicate a 311 system? TSG has a similar product but he is not sure how it works yet.

\* Councilperson S. Wood asked for an update on the rental property regulations. Attorney White said Building Inspector Richmond will be looking over Charleston's ordinance.

\* Councilperson S. Wood asked for an update on the Bricklayers Union. Manager Healy reported the union representative is having a hard time locating a lift for the height of the Police Department building.

\* Councilperson Haynes applauded Manager Healy for addressing the opioid crisis in the city. Manager Healy announced Rev. Dr. John Forney of House of Hope Ohio Valley will be speaking to council at the policy sub-committee meeting.

\* Vice Mayor D. Wood wants to discuss allocating Municipal Sales & Use Tax. Manager Healy noted that being discussed at the finance sub-committee meeting.

\* Vice Mayor D. Wood asked for an explanation of the process DataMax is using for businesses. Manager Healy explained.

\* Councilperson Saunders asked for an update of the Third Street property. Manager Healy reported the grass was cut and a dumpster was placed.

\* Councilperson Saunders said Mr. Montgomery would be elated to have a baseball field named in his honor.

\* Councilperson DeWitt asked for an update on the recycling grant. Manager Healy reported the grant was due on July 1, 2019. They will provide an initial review and forward the application to the grading committee which is scheduled for September. If the recipients are approved, they will be notified in October.

\* Councilperson DeWitt asked Manager Healy if he would put the late billing notification on the city's facebook page.

## **NEW BUSINESS:**

### **Discussion and Approval of an Ordinance to Revise the Building Enforcement Agency. (First Reading)**

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

#### **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA PROVIDING TO AMEND SECTION 1717.01 OF CITY CODE TO RECONFIGURE THE MEMBERSHIP OF THE BUILDING ENFORCEMENT AGENCY (FIRST READING)**

Vice Mayor Wood moved to approve the above ordinance, seconded by Councilperson Haynes.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 6 yeas. Motion carried unanimously.

### **Discussion and Approval of an Ordinance Pertaining to the Zoning Code Clarification Dealing with Acreage for RV Placement and Combining the Definition of RV Parks & Campgrounds. (First Reading)**

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

**AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA PROVIDING TO AMEND AND CLARIFY ZONING AND REGULATION OF TOURIST CAMPS, TRAILER CAMPS, AND RV PARKS, AND THE AREA PROVISIONS THEREFOR (FIRST READING)**

Vice Mayor D. Wood moved to approve the above ordinance, seconded by Councilperson DeWitt.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 6 yeas. Motion carried unanimously.

**Discussion and Appointment to the Moundsville Planning Commission. (Manager's Appointment)**

Manager Healy announced he was reappointing Gary Goode for another term on the Moundsville Planning Commission.

**Discussion and Appointment to the Fire Fighters Civil Service Commission. (Mayor's Appointment)**

Mayor Remke announced he was reappointing Colin Simmons to the Fire Fighters Civil Service Commission for another 4 year term.

**Discussion & Approval of Bid Award for Four Seasons Swimming Pool Building Roofing Project.**

Councilperson Saunders moved to award bids for Four Seasons Pool roof project to Mansuetto Roofing in the amount of \$114,974.00, seconded by Councilperson Haynes. Motion carried unanimously.

**Discussion & Approval for City Manager to Publish a RFP for Bond Counsel for the new Municipal Building.**

Vice Mayor D. Wood moved to approve publication of an RFP for bond counsel on the new municipal building, seconded by Councilperson DeWitt. Motion carried unanimously.

**Discussion & Approval for City Manager to Publish a RFQ for Architect/ Engineer Service for the new Municipal Building.**

Councilperson Saunders moved to publish an RFQ for bond counsel on a new municipal building, seconded by Councilperson Haynes. Motion carried unanimously.

Manager Healy said the 5G process calls for a committee to select the architect/engineer. Members of the committee will include Manager Healy, Mayor Remke, Councilperson S. Wood, Councilperson Haynes and Councilperson Saunders.

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

\* Councilperson DeWitt feels vehicles are having difficulty pulling onto 12<sup>th</sup> Street from Garfield Street or Parriott Avenue and suggested Manager Healy contract WV DOT to have the 25 mph speed sign moved further out 12<sup>th</sup> Street to slow traffic.

\* Councilperson DeWitt said she asked for a tree to be removed behind 1323 Ruby Street located in the paper alley last year. She doesn't feel the city should burden the home owner with tree debris.

Manager Healy said he asked Public Works Director Stocklask to make a comprehensive list of paper alleys the city is maintaining to hopefully abandon and rid the city of any future liability.

\* Councilperson DeWitt commented that her taxes on her rental property which has increased 110%. She asked council and surrounding municipalities to join together in speaking with the county commission about the increase of taxes for Marshall County residents.

\* Councilperson Haynes asked Attorney White if a neighbor has a tree that could possibility fall on your house, it is considered an act of God or is the tree owner responsible? Attorney White said the rule is if the tree is hanging over onto the neighbor's property, the neighbor can cut the portion on their property without any liability. But if the tree falls on the neighbor's property, the tree owner would be responsible.

\* Councilperson S. Wood asked when is the city accepting applications for vacancies on the Planning Commission. Manager Healy said we will accept applications after the term has expired of the board member.

\* Councilperson S. Wood asked Chief Mitchell and Chief Brandon if anyone on their department is trained to dispense narcan? Chief Mitchell and Chief Brandon said all their officers are trained.

\* Councilperson S. Wood announced the month of October is National Substance Abuse Awareness and Prevention month. She suggested sponsoring a community wide training for the signs and symptoms of overdose. Also training on how to administer narcan.

Councilperson S. Wood moved to discuss at the policy committee meeting proclaiming October as National Substance Abuse & Prevention Awareness month, seconded by Councilperson Haynes. Motion carried unanimously.

\* Councilperson S. Wood moved to have an executive session for personnel & real estate matters, seconded by Mayor Remke. Motion carried unanimously.

\* Councilperson S. Wood reminded everyone of the movie night at the Riverfront Park on August 30 starting at dusk. How to Train Your Dragon will be showing with free snack and refreshments. Volunteers are needed.

\* Councilperson S. Wood also reminded everyone of the Music Night on Jefferson Avenue September 13, 2019 7-10 p.m. Some businesses will be open for shopping, Hit Play will be providing music, food and alcohol will be sold at the event. Volunteers are also needed. Councilperson S. Wood thanked Manager Healy, Secretary Kaufman, City Clerk Hewitt, Treasurer Ankrom for helping with ordering and paper work to make this event a success.

#### **MAYOR ITEMS:**

\* Mayor Remke asked Manager Healy to update council on the \$250,000 CDB grant the city was not approved for. Manager Healy reported the application was submitted last year. Any application sent in for CDB funds were not approved. The state opted only to fund water & sewer line and broadband projects.

\* Mayor Remke moved to send to finance hiring another police officer without a police car, seconded by Councilperson DeWitt for discussion. It was also discussed to eliminate the swimming portion of the agility test for police officers.

Councilperson S. Wood asked Chief Mitchell if the request for hiring an officer without a cruiser is reasonable? Chief Mitchell said it is not reasonable.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 5 yeas, 1 nay. Saunders voting nay. Motion carried.

\* Mayor Remke moved to purchase car cam's for all the police cruisers, seconded by Councilperson S. Wood for discussion. Chief Mitchell said in-car camera's may be less expensive but difficult to maintain.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 1 yeas, 5 nays. Remke voting yea. Motion failed.

\* Mayor Remke moved to discussed strategic planning at the finance committee meeting, seconded by Vice Mayor D. Wood.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 2 yeas, 4 nays. Remke & D. Wood voting yea. Motion failed.

\* Mayor Remke suggested sponsoring a Jr Fire Academy program. Manager Healy has concerns since the city is short-handed at this time.

\* Mayor Remke moved to direct the City Manager to send a letter to the Sanford Center informing them to clean up the front of the building, seconded by Councilperson DeWitt.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 6 yeas. Motion carried unanimously.

\* Mayor Remke moved to discuss at the finance meeting to purchase property for a lay down yard, seconded Councilperson Haynes for discussion.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 2 yeas, 4 nays. Haynes & Remke voting yea. Motion failed.

## **COMMITTEE REPORTS:**

### **Discussion of Recommendations by the Finance Committee.**

The finance meeting is scheduled for Tuesday, August 13, 2019 at 5:00 p.m.

### **Discussion of Recommendations by the Policy Committee.**

The policy meeting is scheduled to follow the finance meeting.

1. Discussion of Request for 4' Abandonment at 2119 Hancock Street (Running parallel to Olive Avenue side of property) Committee recommends directing Attorney White to draft an ordinance for the requested abandonment.

Councilperson Haynes moved to direct Attorney White to draft an ordinance to abandon the 4' section of 2119 Hancock Street, seconded by Councilperson DeWitt. Motion carried unanimously.

### **Discussion of Recommendations by the Traffic Committee.**

The traffic meeting is scheduled to follow the policy meeting.



**COUNCIL ITEMS:**

- \* **Haynes** - Nothing at this time.
- \* **D. Wood** - Nothing at this time.
- \* **DeWitt** - Nothing at this time.
- \* **Saunders** - Nothing at this time.
- \* **S. Wood** - Nothing at this time.

Mayor Remke moved to recess for 5 minutes following the executive session for personnel and real estate matters, seconded by Councilperson Haynes. Motion carried unanimously.

Meeting recessed at 8:52 p.m.  
Meeting reconvened at 9:00 p.m.  
Executive session began at 9:00 p.m.  
Executive session recessed at 9:25 p.m.

Councilperson Haynes moved to adjourn, seconded by Councilperson S. Wood. Motion carried unanimously.

Meeting adjourned at 9:26 p.m.

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Sondra J. Hewitt, City Clerk

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Phil Remke, Mayor