

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **MARCH 3, 2015**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers
5 on March 3, 2015 at 7:00 PM.

6
7 Meeting was called to order by Mayor David Wood.
8 Invocation was given by Councilman K Mark Simms.

9
10 Acting City Clerk Ankrom called roll and the following Councilpersons were in
11 attendance: DeWitt, David Haynes, Paul Haynes, Vice Mayor Saunders, Simms, and
12 Mayor Wood. Absent was Hendershot, who was out of town. Also present: City Manager
13 Hess, Fire Chief Clarke, Police Chief Mitchell, Public Works Director Richmond, CPA
14 Goddard, and Attorney White. Absent was City Clerk Hewitt (vacation).

15
16 **MINUTES:**

17 **Regular Council Meeting of February 17, 2015**

18 Councilman Paul Haynes made a motion to accept the February 17, 2015 minutes as
19 presented. Motion was seconded by Vice Mayor Saunders and carried unanimously.

20
21 **GENERAL PUBLIC HEARING:**

22 * H Carl Boso Jr of 305 10th Street disagreed with Mayor Wood that Council members did
23 not have to respond to resident concerns brought up during the General Public Hearing.
24 Mayor Wood reiterated Council members could choose to respond to the public but that
25 was their individual decision.

26
27 * David Seum, Chairman of the Sanford Center Board of Directors, reviewed some of the
28 fund raisers the Center would be conducting in the near future. Mr. Seum requested use
29 of the recently-purchased Kittle Hauling property for an E-Waste Day in April, which the
30 Board would cover under their liability insurance. Mr. Seum assured Council he would
31 discuss parking issues with the groups using the Center.

32
33 **OLD BUSINESS:**

34 **Discussion and Approval of an Ordinance Pertaining to a Zone Change for 1014**
35 **Thompson Avenue from R-M to C-C-C-H (Second Reading)**

36
37 Attorney White read the following ordinance by title only:

38 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
39 **VIRGINIA, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA AT**
40 **1014 THOMPSON AVENUE IN THE CITY OF MOUNDSVILLE FROM A**
41 **MULTI-FAMILY RESIDENTIAL ZONE TO A COMBINED CENTRAL**
42 **BUSINESS & HIGHWAY COMMERCIAL ZONE (SECOND READING)**

1 Vice Mayor Saunders made a motion to approve the ordinance on second reading, which
2 Councilwoman DeWitt seconded.

3
4 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
5 following tally: 6 yeas. Motion carried unanimously.

6

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

8 * Councilwoman DeWitt asked if the Brownfield Grant was submitted on time, which it
9 was.

10

11 * Councilwoman DeWitt commented, at a previous meeting, that televisions and other
12 electronic items should not be left out with regular garbage, as they are not permitted at
13 the landfill. Citizens are reminded to wait until the semi-annual clean up events to dispose
14 of electronic equipment.

15

16 * Vice Mayor Saunders is hoping the new equipment for the Skate Park will be installed
17 by the end of March or April

18

19 * Vice Mayor Saunders wanted to verify whether the City would be taking over the Thorn
20 Avenue property, which Manager Hess confirmed is so.

21

22 **NEW BUSINESS:**

23 **Discussion and Approval of an Ordinance to Abandon a Portion of an Alley Running**
24 **from Purdy Avenue to Lockwood Avenue Between Eleventh Street & POW Street**
25 **(Marshall County CO-OP Property) (First Reading)**

26

27 Attorney White read the following ordinance by title only:

28 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA,**
29 **VACATING, ABANDONING AND ANNULING A PORTION OF AN ALLEY**
30 **BETWEEN PURDY AVENUE AND LOCKWOOD AVENUE (FIRST READING)**

31

32 Vice Mayor Saunders made a motion to approve the ordinance on first reading, which
33 Councilman Paul Haynes seconded.

34

35 Discussion was held on whether the ordinance should be effective before June 1, 2015.
36 Mr. David Voithoffer, Manager of the Marshall County CO-OP, was in attendance and
37 confirmed he and Mr. Hunnel had a “gentleman's agreement” to delay installing the chain
38 link fence until after June 1, 2015.

39

40 Councilman Simms amended the motion to approve first reading of the ordinance, with
41 an effective date of June 1, 2015. Motion on the amendment was seconded by
42 Councilwoman DeWitt.

1 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
2 following tally: 6 yeas. Motion carried unanimously.

3
4 Mayor Wood then called for a roll call vote on the original motion, and Acting Clerk
5 Ankrom announced the following tally: 6 yeas. Motion carried unanimously.

6
7 **Discussion of Revising Article 355 Motorized Recreational Apparatus Vehicles to**
8 **Require Proof of Insurance (First Reading)**

9
10 Attorney White read the following ordinance by title only:

11 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE TO AMEND AND**
12 **REENACT ARTICLE 355 OF THE MOUNDSVILLE CODE PROVIDED FOR A**
13 **PROHIBITION AGAINST THE OPERATION OF CERTAIN MOTORIZED**
14 **RECREATIONAL APPARATUS WITHIN THE CORPORATE LIMITS OF THE**
15 **CITY OF MOUNDSVILLE UPON ANY PUBLIC STREET, ALLEY OR**
16 **PROPERTY; TO MAKE THE OPERATION OF SUCH APPARATUS A**
17 **CRIMINAL OFFENSE; TO PROVIDE PENALTIES THEREFORE; AND TO**
18 **PROVIDE EXCEPTIONS (FIRST READING)**

19
20 Councilman Simms made a motion to approve the ordinance on first reading, which
21 Councilwoman DeWitt seconded.

22
23 Proof of insurance must be provided to the City Manager's Office.

24
25 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
26 following tally: 6 yeas. Motion carried unanimously.

27
28 **Discussion and Approval of a Recommendation by the Moundsville Planning**
29 **Commission to Approve a Zone Change from R-M to C-C-C-H at 1109 Purdy**
30 **Avenue (Marshall County CO-OP Property)**

31
32 Vice Mayor Saunders made a motion to direct the City Attorney to draft a zone change
33 ordinance for 1109 Purdy Avenue. Motion was seconded by Councilman Paul Haynes
34 and carried unanimously.

35
36 **Other items to be Discussed by Council**

37
38 * Councilman David Haynes asked whether the Parks & Recreation budget will be
39 sufficient when 50% of the Hotel/Motel Tax collections are submitted to the newly-formed
40 Visitors & Convention Bureau. It was confirmed the budget will be fine.

41
42 * Vice Mayor Saunders asked when the new garbage trucks will arrive: one will be in later

1 this week, and the other should arrive next week.

2

3 * Vice Mayor Saunders asked when new Police Department vehicles will be purchased.
4 Chief Mitchell stated later in the year, when current loans are paid off, he will look at
5 purchasing more vehicles. Chief Mitchell also stated 11 people are scheduled to take the
6 Police test this weekend; and he confirmed new officers are able to work solo, even before
7 they have attended the State Police Academy.

8

9 * Vice Mayor Saunders commended Manager Hess for taking care of each of the City
10 Departments' needs!

11

12 * Mayor Wood asked Council members to review the Zoning District information that
13 was included with minutes from the Planning Commission meeting.

14

15 **MANAGER ITEMS:**

16 • Manager Hess reminded Council members there will be an extension of the Committee
17 meetings, to discuss the budget, on March 10.

18

19 • Manager Hess stated David Bertrand was hired as the new Building Inspector. Mr.
20 Bertrand worked for Earl Collins for 20 years, and Manager Hess believes he will be
21 an asset to the City staff.

22

23 • Manager Hess has been informed by Earl Collins that he has a party interested in
24 helping with City electrical needs upon his retirement.

25

26 **MAYOR ITEMS:**

27 • Mayor Wood informed Council the BAD Grant Committee will announce the selected
28 cities on March 6, 2015.

29

30 • Mayor Wood informed Council he has established a bi-monthly program with
31 Moundsville Middle School which will include guest speakers and essay contests.

32

33 • Mayor Wood urged Council members to help at the Marshall County Home & Business
34 Expo this weekend.

35

36 • Mayor Wood reminded Council the Home Rule Proposition is again in the Legislature.

37

38 • Mayor Wood stated a representative from the WV Land Trust will be in Moundsville
39 in April to look at City lands.

40

41 **COMMITTEE REPORTS:**

42 *Discussion of Recommendations by the Finance Committee*

1 The Finance Committee will meet March 10, 2015 at 5:00 PM.

2
3 *Discussion of Recommendations by the Traffic Committee*

4 The Traffic Committee will meet immediately following the Finance Committee.

5
6 *Discussion of Recommendations by the Policy Committee*

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

8
9 **COUNCIL ITEMS:**

10 * **Saunders** – Noted the 7th Street house, behind the Salvation Army, is deplorable! This
11 needs to be addressed.

12 * Commented drivers consistently disobey the Stop signs at Poplar Avenue & Jackson
13 Street and 5th Street & Grant Avenue.

14
15 * **Simms** – Asked if the City would provide a dumpster for the Sanford Center's E-Waste
16 event in April. Manager Hess and Director Richmond will work on the details.

17 * Asked about the Riverfront docks, which should be addressed this year.

18
19 * **DeWitt** – Asked where monies would go, if the Parks & Recreation Department would
20 have fund raisers. Unless earmarked by the Manager and/or the Board, for a specific
21 expenditure, monies would go into the General Fund to cover budget expenses.

22 * Commented that SB254, which doubles the Death Benefits for First Responders, was
23 passed in the Legislature.

24
25 * **Paul Haynes** – Commended the Street Department for doing a good job!

26
27 * **David Haynes** – Made a motion to enter into Executive Session for Personnel Matters.
28 Motion was seconded by Vice Mayor Saunders.

29
30 Regular Session ended at 7:40 PM.

31 Executive Session began at 7:45 PM.

32 Executive Session ended at 7:55 PM.

33 Regular Session reconvened at 7:55 PM.

34
35 Vice Mayor Saunders made the motion to adjourn, which was seconded by Councilman
36 Simms. Meeting adjourned at 7:56 PM.

37
38
39 _____
40 Karen L Ankrom, Acting City Clerk

David Wood, Mayor