

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JUNE 3, 2014**

The Council of the City of Moundsville met in regular session in the Council Chambers on June 3, 2014 at 7:00 p.m.

Meeting was called to order by Mayor Eugene Saunders.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, D. Haynes, P. Haynes, Remke, Simms, Wood and Mayor Saunders. Also present: City Manager Deanna J. Hess, Asst. Fire Chief Walker, Police Cpl. Carr, Street Foreman Stocklask, Attorney Thomas White, CPA Kathryn Goddard and City Clerk Hewitt. Absent: Chief Clarke, Chief Mitchell and Street Commissioner Richmond.

MINUTES:

Regular Council Meeting of May 20, 2014.

Councilperson P. Haynes moved to accept and approve the minutes of the regular council meeting of May 20, 2014, seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Shirley Cook, Wesley Park, complained of people riding ATV's around Wesley Park & Highland Avenue they can't set on their porch the noise is so loud.

* Bob Roberts, 91 Highland Avenue, complained of ATV's in neighborhood. He said he called the police but didn't see an officer. This problem goes on all summer.

After some discussion, Councilperson Remke moved to discuss the city's ATV ordinance at the policy meeting, seconded by Councilperson Simms. Motion carried unanimously.

* Mary Phillips, Mound Town Music, 276 Jefferson Avenue, asked when the Jefferson Avenue project will be complete? Manager Hess reported end of June.

* Heidi Gast, 90 N Highland Avenue, reported police do not patrol the area, they respond only when called. She reported and has pictures of a man driving an ATV with an infant on front and a child in the back. Another rider was naked on his ATV going up and down the street. She feels there is going to be serious injury to someone.

* Tim Gast, 90 N Highland Avenue, also spoke on the matter saying ATV owners are taking the spark arrester out of the muffler and putting the end cap back on making it look like they have a

working muffler. He reported kids riding double popping wheelies when the boy on the back fell off catching himself with his hand causing road rash.

* Carl Boso, 305 10th Street, reported 8 to 10 ATV's riding down 10th Street every evening going to the walking trail. He commented that ATV riders must have proof of insurance if they are driving on the street.

* Tom Doyle, 103 Cherokee Drive, asked when Jefferson Extension was going to be paved. City Manager reported that we are unsure due to the fact that Jefferson Extension is a state project.

* Karen Gast, 2 Simpson Avenue, said a house in their neighborhood burned and wanted to know when it was going to be tore down. Asked when the street sweeper was going to sweep her street. And also reported 4 wheelers traveling at a high rate of speed one almost hit her.

OLD BUSINESS:

Discussion of Date and Time for a Public Hearing of the Comprehensive Plan.

Attorney White asked council to set the date for the public hearing on July 1, 2014 at 7:00 p.m., because a 15 day notice will have to be published as a Class II legal ad. City council meeting may start after the public hearing.

Councilperson Wood moved to hold the public hearing for the Comprehensive Plan on July 1, 2014 at 7:00 p.m., seconded by Councilperson P. Haynes. Motion carried unanimously.

Attorney White asked council to rescind the motion and second from the previous council meeting of May 20, 2014 accept the Comprehensive Plan as presented by the Moundsville Planning Commission.

Councilperson P. Haynes made a motion to rescind the motion and second to accept the Comprehensive Plan, seconded by Councilperson Wood. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson DeWitt asked what was going on with the 13th Street boat docks? Manager Hess said she has not heard back from DNR.

* Councilperson P. Haynes commented that the junk vehicles in town are getting out of hand.

* Councilperson D. Haynes reported vehicle still parking on the parkway & curb. The reason fo the ordinance was to keep vehicles from breaking the water meter covers. But vehicles are still parking there.

* Councilperson D. Haynes also commented on the grass cutting ordinance. When yards are cut the grass is being blown or pushed into the street and washed down the sewer. The ordinance is supposed to prevent this from happening.

* Councilperson Wood asked when the next street will be paved? Manager Hess reported Cedar Avenue is being finished and they will start on Myrtle Avenue.

* Councilperson Wood commented that he & Mayor Saunders attended the dedication for the Cameron swimming pool which the Landmark Commission was involved in.

* Councilperson Remke asked if the letter was sent to Jay Wallace concerning council authorizing Councilperson Remke to move forward with the kiosk program? Mayor Saunders advised the letter has not been sent to Mr. Wallace.

* Councilperson Remke asked if Chief Clarke received information back concerning a charge for use of city emergency vehicle during an accident? Asst. Chief Walker said he didn't think Chief Clarke had heard back from Weirton.

* Councilperson Remke asked if a letter had been drafted to Senator Kessler & Delegates concerning the First Street/Jefferson Avenue Extension project? The items is to be addressed at the Traffic Committee meeting.

* Councilperson Remke asked if the Water Board & Sanitary Board minutes can be placed on the city's website? Manager Hess commented this would be up to the boards.

* Councilperson Remke asked for a list of the outstanding loans the city has. Ms. Goddard advised she and the City Manager will discuss this request.

* Councilperson Remke previously reported extension cords being used at the Fairground campground. City Clerk Hewitt reported she contacted Mr. Bertram at the Fairgrounds who advised he checked all the campers and did not find a problem.

* Councilperson Remke reported vehicles are parking on the curb on 5th Street and 8th Street.

NEW BUSINESS:

Discussion and Approval of an Ordinance Pertaining to an Increase to the Public Safety Fee. (First Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE WEST VIRGINIA, AMENDING AND REENACTING SECTION 759.01 OF THE CITY CODE

TO INCREASE THE PUBLIC SAFETY RATE (FIRST READING)

Councilperson Simms moved to approve the ordinance increasing the public safety rate, seconded by Councilperson P. Haynes.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance Pertaining to an Increase to the Municipal Fee. (First Reading)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING AND REENACTING SECTION 760.01 OF THE CITY CODE TO INCREASE THE MUNICIPAL FEE RATE (FIRST READING)

Councilperson Simms moved to approve the ordinance increasing the municipal fee rate, seconded by Councilperson Wood.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance Pertaining to an Increase to the Garbage Fee. (First Reading)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING SECTION 953.09 AND 953.10 OF THE CITY CODE TO PROVIDE FOR INCREASED FEES FOR GARBAGE COLLECTION (SECOND READING)

Councilperson D. Haynes made a motion to approve the ordinance increasing the fees for garbage collection, seconded by Councilperson P. Haynes.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of a Resolution to Authorize the City Manager to Enter Into a Lease Purchase Agreement for a New Rosenbauer Fire Truck for the Moundsville Fire Department.

Councilperson D. Haynes moved to authorize the City Manager to enter into a lease purchase agreement, seconded by Councilperson P. Haynes.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas, 1 nay. Remke voting nay. Motion carried.

NEW BUSINESS:

* Councilperson Simms reported a large hole on Cherokee Drive near Campground Road that needs filled.

* Councilperson Wood asked for an update on the house that burned on Olive Avenue. And 307 Poplar Avenue.

* Councilperson Wood reported a building at the top of Center Street off of Sycamore that is in bad shape.

* Councilperson Wood received a complaint of the ditch by the girls softball field that is clogged. When it rains the parking lot gets flooded.

* Councilperson Remke advised council the city does receive an oil & gas severance tax. CPA Goddard affirmed the gas severance tax which goes into the general fund.

* Councilperson Remke commented Councilperson P. Haynes for bringing attention to junk vehicles in town.

* Councilperson Remke provided pictures to council concerning problems that occur behind 1514 Eighth Street every time it rains. Street Foreman Stocklask reported this problem was turned over to the Sanitary Board. The board was supposed to put a catch basin in behind 1517 Seventh Street over a year ago.

* Councilperson Remke reported that 401 13th Street hasn't had anything done with it since Mr. Blair appeared before council. The grass has become very high again and the house is still vacant.

* Councilperson Remke reported a green & white trailer on 13th Street that is dilapidated.

* Councilperson P. Haynes complained that Amish contractors dumped a large dump truck load of gravel blocking the alley by Sam Drive.

MANAGER ITEMS:

* City Manager Hess thanked everyone for the "Well Wishes" and thanked to City Clerk for filling in for her.

* There will be a re-grand opening at the Fostoria Museum on June 12, 2014 at 11:00 a.m.

* Annual Car Show on Friday, June 6 was moved to Jefferson Avenue between 8th Street & 11th Street due to gas line replacement.

* Manager Hess made comment to something being said to her concerning citizens not being involved in the Comprehensive Plan. She said not only citizens were involved by council, city boards & commissions, business people, city and county officials as well as the new media.

MAYOR ITEMS:

* Mayor Saunders congratulated the City Attorney, Council Members and Ms. Goddard for helping with the Home Rule Application.

* Mayor Saunders said things were brought to his attention in executive session is not supposed to be discussed in or with the public.

* Mayor Saunders announced the Dectron Unit at Four Seasons Pool has been installed and running. Also, Mayor Saunders is trying to obtain more ramps and install a fence at the skateboard park.

* Mayor Saunders welcomed City Manager Hess back and commended City Clerk Hewitt for doing a great job as Acting City Manager.

COMMITTEE REPORTS:

Discussion of Recommendations by the Traffic Committee.

Meeting scheduled for Tuesday, June 10, 2014 at 5:00 p.m.

Discussion of Recommendations by the Finance Committee.

Meeting will follow the traffic meeting.

Discussion of Recommendations by the Policy Committee.

Meeting will follow the finance meeting.

COUNCIL ITEMS:

* **Simms** - Nothing at this time.

* **Wood** - Welcome back to City Manager Hess and thanks to City Clerk Hewitt for filling in as Acting City Manager.

* Citizens seem to have a different definition of Home Rule. Home Rule does not authorize the City to go into someone's house and make changes or take their home away from them. Mr. Wood asked the City Manager to do a publicity campaign if the city is accepted into Home Rule to explain Home Rule.

* Asked if city officials attended the Grand Opening of the new Moundsville Pharmacy building. Manager Hess advised she didn't receive the email until late.

* **Remke** - Nothing at this time.

* **DeWitt** - Welcomed the City Manager back and thanked City Clerk Hewitt for doing a good job.

* Reported the intersection at 9th Street & Parriott Avenue needs repaired.

* Received complaint that gravel is needed at the top of Highland Avenue & Kudlak Drive.

* **P. Haynes** - Welcomed City Manager Hess back and thanked City Clerk for doing good job in her absence.

* **D. Haynes** - Nothing at this time.

Councilperson D. Haynes moved to hold executive session for personnel matters, seconded by Councilperson Wood. Motion carried unanimously.

Meeting recessed at 8:20 p.m.

Meeting reconvened at 8:25 p.m.

Executive session began at 8:25 p.m.

Executive session recessed at 8:45 p.m.

Regular session reconvened at 8:25 p.m.

Councilperson D. Haynes moved to adjourn, seconded by Councilperson P. Haynes. Motion carried unanimously.

Meeting adjourned at 8:46 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor