

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
AUGUST 19, 2014**

The Council of the City of Moundsville met in regular session in the Council Chambers on August 19, 2014 at 7:00 p.m.

Meeting was called to order by Mayor 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, Police Chief Mitchell, Asst. Fire Chief Walker, Street Commissioner Richmond, Attorney Thomas White, CPA Kathryn Goddard and City Clerk Hewitt.

**MINUTES:**

**Regular Council Meeting of August 5, 2014.**

Councilperson D. Haynes made correction on page 3 line 35, should read, "Monday, August 11, 2014 not Tuesday, August 12, 2014". Councilperson D. Haynes moved to accept and approve the minutes of the regular council meeting of August 5, 2014 as amended, seconded by Councilperson Simms. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

\* Jim Tomlinson, GAB, spoke to council on Fostoria Property reporting 85,000 yards of dirt has been placed and compacted with about 20,000 to 25,000 to go with a 2 week turn frame, weather permitting. He said they received a couple of dust complaints but that was all. Commended Shallenberger Construction for all the work they have done trucking in and leveling all the fill dirt. Mr. Tomlinson wished to thank the citizens in Moundsville for their support and patience, Moundsville Council and the City Manager's Office, Larry Bonar, Tim Minor of the Sanitary Board, Joe Richmond, Terry Roberts, the Police Department for traffic control and Patrick Kirby of the WV Northern Brownfields Assistant Center.

\* Tom Brown, GAB, wants people to remember the Fostoria property is a Brownfields site. Patrick Kirby and his staff are commended for the work they did to bring the property this far.

\* Helen Tucker, 115 Morton Avenue, reported when traveling to her residence driving onto Morton Avenue two cones that were in blocked off alley were in the middle of Morton Avenue. She asked council if they were going to allow Mr. Rickrode to block Morton Avenue also. She feels the residents in the area are being treated unfair allowing Mr. Rickrode to install a gate on an alley.

\* Ben Schillaci, 718 Second Street, said he was very upset the gate was placed across the alley. He doesn't feel the residents are being represented very well by their council members. He commented if Gouldsberry's and Rickrode's own six feet into the alley, every other resident in Moundsville also owns six feet into the alleys.

Councilperson D. Haynes feels this incident of installing the gate was a land grab by Mr. Rickrode and wants the city to make this right with the residents.

After a discussion to direct the City Attorney to file a declaratory judgement with the Circuit Court of Marshall County, Councilperson Remke made a motion to send this matter to the Policy Committee for further research, seconded by Councilperson P. Haynes. Motion carried unanimously.

### **OLD BUSINESS:**

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

\* Councilperson D. Haynes made a motion to discuss the ATV ordinance at the next policy meeting, seconded by Councilperson Remke.

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

\* Councilperson Remke made a motion to discuss at the traffic meeting removing the yellow line on Morton Avenue beside Rickrode property, stating this was never approved by council, seconded by Councilperson P. Haynes. Motion carried unanimously.

### **NEW BUSINESS:**

#### **Discussion and Approval of Award of Garbage Trucks Bid.**

Mayor Saunders announced bids were received for two garbage trucks from WV-Ohio Motor Sales, Inc, Wheeling WV in the amount of \$393,272.00. Trade allowance at \$17,000 with following stipulations/conditions: Offer firm until 02/17/2015; miles not to exceed 195,000; hours not to exceed 15,000; must have current inspection sticker; all functions must be operable. Reevaluation may lead to a lower trade allowance.

After some discussion of trade allowance and funding, Councilperson Remke moved to discuss this further at the next regular meeting, seconded by Councilperson DeWitt. Motion carried unanimously.

#### **Discussion and Approval of a Resolution Authorizing the Execution of a Certain Application for a Grant Through the Community Participation Program in the Amount of**

**\$1,000 for Skateboard Park.**

Councilperson Simms moved to approve the grant resolution in the amount of \$1,000 for the skateboard park, seconded by Councilperson Remke. Motion carried unanimously.

**Discussion and Approval of a Resolution Authorizing the Execution of a Certain Application for a Grant Through the Community Participation Program in the Amount of \$2,000 for Moundsville Baseball Association.**

Councilperson Wood made a motion to approve the grant resolution for Moundsville Baseball Association in the amount of \$2,000, seconded by Councilperson DeWitt. Motion carried unanimously.

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

\* Councilperson P. Haynes reported the canopy at the Park View Playground needs repaired and basketball hoops need replaced.

\* Councilperson D. Haynes reported attending the WVML Conference in Bridgeport WV with Mayor Saunders, Councilperson P. Haynes and City Clerk Hewitt stating the conference was very educational.

\* Councilperson Simms spoke with residents in the area of Tomlinson Avenue between 10<sup>th</sup> & 11<sup>th</sup> Street who asked for some changes in the neighborhood. Some items include replace batteries in flashing lights on 10<sup>th</sup> Street between Rt. 2 & Tomlinson Avenue; pedestrian crosswalk painted at alley on 10<sup>th</sup> Street near the Pavilion.

\* Councilperson Remke made a motion to discuss at the finance meeting purchasing camera's for police officers, seconded by Councilperson D. Haynes. Motion carried unanimously.

\* Councilperson Remke asked to attend a seminar at Marshall University along with 6 other people October 7-9, 2014, fee is \$50 per person.

\* Councilperson Remke asked permission to fly a POW flag at the City Building and on the pole at the Moundsville/Glendale line.

\* Councilperson Remke also asked that flyers be removed from telephone poles in town.

**MANAGER ITEMS:**

**Re-appointment to the Moundsville Zoning Appeals Board.**

Manager Hess announced Charles Rush asked to be re-appointed to the Moundsville Zoning Appeals Board. Councilperson Wood moved to re-appoint Charles Rush, seconded by

Councilperson DeWitt. Motion carried unanimously.

**Other Items to be Discussed by City Manager.**

\* Manager Hess advised council that she sent letters to Senators & Delegates inviting them to a meeting requested by Councilperson Remke to extend First Street to Lafayette Avenue. Senator Kessler was unable to attend as well as Delegate Ferro.

\* Manager Hess announced Department of Highways informed her that Jefferson Avenue will be closed on Thursday & Friday for milling. Monday, Tues, Wednesday & Thursday for paving.

\* Business After Hours will be held on August 28, 2014, from 5-7 pm at Grand Vue Park Club House hosted by Marshall County Commission & Peggy's Posey's.

\* Thank You letter from the Youth Club of Marshall County for the City of Moundsville's support.

**MAYOR ITEMS:**

\* Mayor Saunders is waiting on a sketch to finish skateboard park.

\* Mayor Saunders announced that Fire Chief Clarke is recovering from surgery.

\* Mayor Saunders announced he will be attending a substance abuse seminar at the Robinson Law Office.

\* Mayor Saunders thanked CPA Kathryn Goddard and Attorney Tom White for presentations to the Home Rule Board.

**COMMITTEE REPORTS:**

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

1. Discussion of Roadway Scales being advertised. Committee recommends to forward to Council to advertise.

Councilperson Wood moved to advertise for sale the scales from the Police Department, seconded by Councilperson Remke. Motion carried unanimously.

2. Discussion of Additional Donation to Marshall County Tourism Committee. Committee recommends donating additional \$2,000.

Councilperson Wood moved to donate \$2,000 to the Marshall County Tourism, seconded by Councilperson Remke. Motion carried unanimously.

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

1. Discussion of Pipeline Easement Option. Committee recommends forwarding to Council for approval.

Attorney White explained the City Manager signed an option last year permitting Williams Energy to install a pipeline on the city’s property. Problems arose with surrounding property owners that kept the pipeline from going through. Williams Energy is asking the city to resign the agreement for two years.

Councilperson DeWitt moved to direct the City Manager to sign the agreement with Williams Energy, seconded by Councilperson Wood. Motion carried unanimously.

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

1. Discussion of Removal of Flashing Lights and Speed Limit Signs at Vacant Schools. Committee recommends City Manager send letter requesting this to School Board.

**COUNCIL ITEMS:**

- \* **Simms** - Condolences to Tom Dobbs family on his passing.
- \* **Wood** - Condolences to Tom Dobbs family.
- \* Wishes for Chief Clarke a speedy recovery.
- \* Announced the Marshall County Commission moved forward with the Moundsville Power Plant.
- \* **Remke** - Presented council members a copy of the Parade Magazine with an article on rejuvenating small towns.
- \* Invites council to “Day with Heroes” on Jefferson Avenue.
- \* **D. Haynes** - Condolences to Tom Dobbs family.
- \* Speedy recovery to Noel Clarke.
- \* Reported a trailer on Mulberry Avenue & Meighen Avenue.
- \* **P. Haynes** - Requested battery be replaced in the flashing light at Oak Avenue Highland Avenue.

\* **DeWitt** - Condolences to Tom Dobbs family.

\* Speedy recovery for Noel Clarke & Frank Stocklask.

\* Commended the Building Inspectors for keeping up with the vacant buildings in town.

Councilperson DeWitt made a motion to adjourn, seconded by Councilperson Simms. Motion carried unanimously.

Meeting adjourned at 8:36 p.m.

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Sondra J Hewitt, City Clerk

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Gene Saunders, Sr., Mayor