

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**  
2 **MOUNDSVILLE, SEPTEMBER 17, 2019**

3  
4 The Council of the City of Moundsville met in Regular Session in the Council  
5 Chambers on September 17, 2019 at 7:00 p.m.

6  
7 Meeting was called to order by Mayor Phil Remke who also gave the invocation.

8  
9 City Clerk Hewitt called the roll and the following Councilpersons were in  
10 attendance: DeWitt, Haynes, Saunders, Vice Mayor David Wood and Mayor  
11 Remke. Absent: Hunt & S. Wood. Also present were City Manager Healy,  
12 Public Works Foreman Wallace, Police Chief Mitchell, Fire Chief Brandon,  
13 Building Inspector Richmond, Parks & Recreation Director White, CPA Goddard,  
14 Attorney White and City Clerk Hewitt.

15  
16 **MINUTES:**

17  
18 **Regular Council Meeting of September 3, 2019.**

19  
20 Councilperson Haynes moved to accept and approve the minutes of the regular  
21 council meeting of September 3, 2019, seconded by Councilperson DeWitt.  
22 Motion carried unanimously.

23  
24 **GENERAL PUBLIC HEARING:**

25  
26 \* Carl Boso, 305 10<sup>th</sup> Street, asked if anyone was going to tell him what is going  
27 on with Kudlak getting a citation for illegal burning on his property? Manager  
28 Healy said nobody was going to comment. Mr. Boso said everyone involved  
29 should be fired. He also said he wants reimbursed for the illegal burning citation  
30 he received last year. He said he was replacing the old mobile homes on 9<sup>th</sup> Street  
31 & Lockwood Avenue but heard the city was going to keep him from installing the  
32 new mobile homes.

33  
34 **MANAGER ITEMS:**

35  
36 **Appointment to the Police Civil Service Commission.**

37  
38 Manager Healy announced he received a letter of intent from Trevor Goode to

1 serve on the Moundsville Police Civil Service Commission. City Manager Healy  
2 appointed Mr. Goode to serve an unexpired term vacated by David Robinson.

3  
4 **Appointment to the Planning Commission.**

5  
6 Manager Healy announced he reappointed Josie Mentzer to the Moundsville  
7 Planning Commission to serve another 3 year term.

8  
9 \* City Manager Healy provided the following report to council:

10  
11 1. In response to Councilperson DeWitt's request about the speed limit signs on  
12 12<sup>th</sup> Street, I spoke to Dave Brabham about this. He confirmed that the speed  
13 limit changes where the 25 mph / 40 mph signs are located. Based on the  
14 roadway geometry and spot speed studies that were performed on this road, this  
15 speed limit change and location was verified. The 25 MPH speed limit begins at  
16 the place where the roadside environment makes a driver want to slow down from  
17 40 coming into town. The study also showed if we extended the 25 MPH zone to  
18 the fairground, with the exception of the fair traffic, drivers would not feel like  
19 they need to be that slow, and could likely result in speeding most of the time.  
20 Additionally, there is a 25 MPH Ahead sign located near the Fairgrounds. I  
21 expect no changes.

22 2. Last Tuesday, we had an on-site visit from the DEP's REAP Program. This  
23 visit is a mandatory component of the application process for the recycling grant.  
24 I have registered for the Solid Waste Conference in October, during which the  
25 recycling grant awards may be announced.

26 3. Continued update on the new software system: After it seemed like we were  
27 making progress, I feel like we've slowed down on the implementation of the  
28 system. We are currently using four to five of the modules, although none are  
29 100% completed.

30 4. On the hardware side, the new computers for office staff are being installed on  
31 Thursday. Staff thanks Council for having this placed into the 2019-2020 budget.

32 5. I attended the "State of Marshall County" breakfast held on September 5 at  
33 Grand Vue. Speakers commented on the overall positivity in the County, with  
34 nothing but great things ahead. Moundsville should be proud to be a part of  
35 that.6. The deadline for the Request for Architectural Services is Thursday  
36 afternoon. As of today, we have received two packets of proposals. I will be

1 contacting the Committee with their instructions, score sheets, and copies of the  
2 proposals Friday.

3 7. Update on the Fostoria Bridge Project – The State is finalizing the agreement  
4 for the City. There are three potential utilities that need moved, and I am working  
5 with those to determine the anticipated impact and cost. I expect that agreement to  
6 be in our hands very soon.

7 8. Councilman Haynes had requested information on the signage plan for the  
8 Route 2 Project. I do have that plan, but due to length of it, I only made one  
9 copy. It is available to anyone.

10 9. We have received our first payments due to the contract with DataMax. We  
11 have received a total of \$17,521.78 from three companies, which will result in the  
12 City gaining \$8,760.89 after payments.

13 10. I received an Engagement Letter from Mr. Bob Kiss from the Bowles-Rice  
14 attorney firm regarding the TIF Program. The City will need to enter into this  
15 agreement for the legal process to commence. This firm will guide us through the  
16 entire TIF process. All legal fees are reimbursable from the increment.

17 11. Councilperson Wood is not present this evening, so I will blow the Arts &  
18 Culture Committee’s horn. The Jefferson Friday event held last week was an  
19 absolute success. Based on the number of wristbands that were distributed, we  
20 are guessing there was well over 700 people in attendance. Major kudos to all  
21 who were involved in the planning and implementation of the event. The  
22 businesses that stayed open couldn’t have been happier and everyone wanted to  
23 know when the next one would be held. It takes cooperation from a lot of people  
24 to make this happen, but first thanks to the Committee, including Mayor Remke,  
25 Councilperson DeWitt, Councilperson Wood and Nick Healy. I know from my  
26 phone text messages that Sara and Nick spent a lot of time on this and both were  
27 ecstatic that evening. Phil and Ginger ran for change and restocked the  
28 beverages. Thanks to the other Council people that attended and assisted.  
29 Thank you to the businesses that stayed open and supported the event, especially  
30 the Market on Jefferson Avenue, who allowed us to use their facility as a staging  
31 location. The police officers that were employed did a great job, and my huge  
32 thanks to the Street Department employees who stayed and did everything that was  
33 asked of them. By 11:30, we had finished cleaning up, and I was headed home –  
34 tired but thrilled about the evening. Many comments were made that we “blew  
35 away other communities” with similar events. I hope to see this become a

1 monthly event next summer.  
2 12. This Saturday is the Fall Fest on Jefferson, sponsored by UMAC. The  
3 hours are 10-6, please come and support this great event. I expect Jefferson  
4 Avenue to be filled again, with great weather forecast. The City will have an  
5 informational booth, and I plan to be there all day. We are planning some  
6 children's giveaways, and will have a drawing for a pool pass. Any Council  
7 member that would like to attend, please do so! Jennifer Rohrig from the Census  
8 Bureau will also share our booth for a few hours.  
9 13. The field dedication for Bob Montgomery is Thursday at the 12<sup>th</sup> Street  
10 baseball complex. Coach Montgomery will have family and friends present, and  
11 all of Council is invited, and encouraged to attend.  
12 14. I'd like to ask for Council to go into a very brief Executive Session at the end  
13 of our regular meeting for Real Estates.

14  
15 **OLD BUSINESS:**

16  
17 **Discussion and Approval of an Ordinance Eliminating Salvage Yards in the**  
18 **City of Moundsville Zoning Codes. (Second Reading)**

19  
20 Attorney White read the following ordinance by title only to be passed by council  
21 on second reading:

22  
23 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**  
24 **WEST VIRGINIA, PROVIDING TO AMEND THE ZONING ORDINANCE**  
25 **TO PROHIBIT SALVAGE YARDS IN ALL ZONES WITHIN THE CITY**  
26 **OF MOUNDSVILLE. (SECOND READING)**

27  
28 Vice Mayor Wood moved to approve the above ordinance by title only to be  
29 passed by council on second and final reading.

30  
31 Mayor Remke called for a voice vote. City Clerk Hewitt announced the  
32 following tally. 5 yeas. Motion carried unanimously.

33  
34 **Other Items to be Discussed by Council.**

35  
36 \* Vice Mayor Wood announced the 2019 John Marshall Homecoming Parade is

1 scheduled for October 17 and asked if council members were participating?  
2 Manager Healy said to let him know if council members wish to ride or walk in the  
3 parade.

4  
5 \* Vice Mayor Wood asked for an update on the Abandoned and Dilapidated  
6 Structure process. Manager Healy said the process they are using is in the hands  
7 of the city attorney for his review and once he approves the process the city will  
8 implement it on a trial basis.

9  
10 \* Vice Mayor Wood commended everyone who was involved in organizing the  
11 Jefferson Avenue Friday's it was outstanding!

12  
13 \* Councilperson DeWitt said the Jefferson Avenue Friday was great and heard  
14 nothing but good comments. Moundsville is moving in the right direction.

15  
16 \* Councilperson Saunders asked if the Sanitation Sub Committee was still an  
17 active committee. Councilperson Haynes and City Manager said the committee is  
18 still active and should be meeting on a monthly basis.

19  
20 \* Councilperson Saunders asked for an update concerning the house on First  
21 Street. Building Inspector Richmond reported most of the repairs have been  
22 made but the owner is due back in Municipal Court in October.

23  
24 **NEW BUSINESS:**

25  
26 **Discussion and Approval of a Resolution for Renewal of Lease Agreement**  
27 **with the Moundsville Rifle Pistol Club.**

28  
29 Councilperson Saunders moved to approve the resolution renewing the lease  
30 agreement, seconded by Vice Mayor D. Wood. Motion carried unanimously.

31  
32 **Discussion and Approval of a Reimbursement Resolution for the Moundsville**  
33 **Water Board Line, Extension & Replacement Project.**

34  
35 Vice Mayor Wood moved to approve the resolution for reimbursement to the

1 Water Board on projects, seconded by Councilperson DeWitt.

2

3 Mayor Remke called for a voice vote. City Clerk Hewitt announced the  
4 following tally. 2 yeas, 3 nays. D. Wood and DeWitt voting yea. Motion  
5 failed.

6

7 **Discussion and Approval of Entering into a Contractual Agreement with**  
8 **Mansuetto & Sons for Four Seasons Pool Roof Replacement.**

9

10 Councilperson Haynes moved to approve entering into a contractual agreement in  
11 the amount of \$114,974.00, seconded by Councilperson Saunders. Motion  
12 carried unanimously.

13

14 **Appointment to the Moundsville Parks & Recreation Advisory Board.**  
15 **(Council Appointment)**

16

17 Manager Healy said he received a letter from Sabrina Montgomery asking to be re-  
18 appointed to the Advisory Board and it has been past practice to reappoint a  
19 member who is already on a board or committee. He also received letters from  
20 Denny Hall and David Seum for the appointment.

21

22 Councilperson DeWitt moved to appoint Denny Hall, seconded by Mayor Remke.  
23 Mayor Remke called for a voice vote. City Clerk announced the following tally.  
24 4 yeas, 1 nay. D. Wood voting nay. Motion carried.

25

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

27

28 \* Vice Mayor Wood asked Manager Healy to explain to council the discussion in  
29 the Sanitary Board minutes of central billing. Manager Healy said there is a wide  
30 separation between the Water Board and the Sanitary Board. With the city's new  
31 computer software it makes sense that billing comes from one centralized location.  
32 But we have a long way to go before the city can achieve that.

33

34 \* Vice Mayor Wood recommended a copy of the goals be laminated and posted in  
35 the city building.

1 \* Councilperson Dewitt asked for the approval of Trick or Treat be on the next  
2 agenda.

3  
4 \* Councilperson Saunders moved to discuss at the policy sub committee meeting  
5 prohibiting weapons at the city parks, seconded by Councilperson Haynes.  
6 Motion carried unanimously.

7  
8 \* Councilperson Saunders also reported kids on the shelter roof at East End  
9 playground.

10  
11 \* Councilperson Haynes reported a large pile of tires at 1810 Meighen Avenue.

12  
13 **MAYOR ITEMS:**

14  
15 \* Mayor Remke reported the “Slow Children Play” sign has not been installed on  
16 7<sup>th</sup> Street and curb has not been painted at 1403 3<sup>rd</sup> Street. Manager Healy  
17 reported sending work orders.

18 \* Mayor Remke asked Attorney White if he researched the liability of the city’s  
19 firefighters using nuisance properties to demo as a learning project. Attorney  
20 White said he will research.

21 \* Mayor Remke asked for an update on the junk vehicles he reported. Manager  
22 Healy said they are being addressed. Some have been removed.

23 \* Mayor Remke moved to discuss at the policy sub committee revising the city’s  
24 demolition ordinance hold the property owner responsible for exterminating  
25 surrounding residences during demolition, seconded by Councilperson Haynes.

26 Building Inspector Richmond believes the ordinance includes that verbiage.

27 Mayor Remke called for a voice vote. City Clerk Hewitt announced the  
28 following tally. 4 yeas, 1 nay. Saunders voting nay. Motion carried.

29 \* Mayor Remke moved to revisit the Municipal Sales & Use Tax allocations on the  
30 agenda. Motion failed for lack of a second.

31 \* Mayor Remke moved to discuss at the policy sub committee meeting drafting an  
32 ordinance forcing owners of rental property to obtain permits on one piece of  
33 property at a time. Motion failed for lack of a second.

34 \* Mayor Remke reported tree branches covering street light on Birch Avenue.  
35 Manager Healy said a work order was forwarded to AEP.

1 \* Mayor Remke reported scaffolding is blocking the sidewalk at 1014 Second  
2 Street. Building Inspector Richmond said the home owner is continuing to work  
3 on the property.

4  
5 **COMMITTEE REPORTS:**

6  
7 **Discussion of Recommendations by the Finance Committee.**

8  
9 1. Discussion of Allocation of 1% Municipal Sales Tax. Committee  
10 recommends allocating 21% to paving; 5% to demolition; combine recreation &  
11 pool at 20%; new city building 29%; police & fire public safety equipment at 10%;  
12 the remaining 15% unallocated.

13  
14 Vice Mayor D. Wood moved to approve the above allocation for the Municipal  
15 Sales & Use Tax, seconded by Councilperson Haynes. 4 yeas, 1 nay. Remke  
16 voting nay. Motion carried.

17  
18 2. Discussion of Request from John Marshall High School for Yearbook Donation.  
19 Committee recommends to donate \$55 for 1/8 of ad.

20  
21 Vice Mayor D. Wood moved to approve a donation of \$55 to the JM Yearbook,  
22 seconded by Councilperson DeWitt. Motion carried unanimously.

23  
24 3. Discussion of Request from UMAC to Assist with Sponsoring Fall Festival.  
25 Committee recommends \$100 donation to UMAC.

26  
27 Vice Mayor D. Wood moved to approve a donation for the Fall Festival in the  
28 amount of \$100, seconded by Councilperson Haynes. Motion carried  
29 unanimously.

30  
31 4. Discussion of Wage Increases for Future Council Members. Committee  
32 recommends direct the city attorney draft an ordinance to increase council's salary  
33 by \$100.



1 Vice Mayor D. Wood moved to approve a salary increase for council in the amount  
2 of \$100, seconded by Councilperson Haynes. 4 yeas, 1 nay. DeWitt voting nay.  
3 Motion carried.

4  
5 5. Discussion of New Police Cruiser for Drug Task Force Partially Paid by  
6 Budgeted Donation from City. Committee recommends to authorize the purchase  
7 of police vehicle for the city’s drug task force officer in the amount of \$38,000 and  
8 use the allocated \$10,000 in the budget for the drug task force toward that  
9 purchase.

10  
11 Vice Mayor D. Wood moved to authorize the purchase of a police vehicle,  
12 seconded by Councilperson Saunders. Motion carried unanimously.

13  
14 **Discussion of Recommendations by the Policy Committee.**

15  
16 1. Discussion of a Program to Pay Parking Meter Tickets with Canned Goods  
17 and School Supplies for Children. Committee recommends directing the City  
18 Attorney to draft a resolution to declare the first two weeks in November parking  
19 meter tickets can be paid for with 3 cans of non-perishable food items and the first  
20 two weeks of August parking meter tickets can be paid for with 3 school supplies  
21 items.

22  
23 Vice Mayor D. Wood moved to approve the resolution to exchange parking tickets  
24 for canned foods and school supplies, seconded by Councilperson Saunders.  
25 Motion carried unanimously.

26  
27 **Discussion of Recommendations by the Traffic Committee.**

28  
29 1. Discussion of Street Address for Moundsville Volunteer Fire Department RV  
30 Park. Committee recommends approving the road into the RV be named “Braden  
31 Court”.

32  
33 Councilperson Saunders moved to approve naming the road “Braden Court”,  
34 seconded by Councilperson DeWitt. Motion carried unanimously.

1 2. Discussion of Street Address for New Business at the Corner of DOT Drive  
2 and Twelfth Street. Committee recommends approve the new street name as  
3 “Geno’s Drive”.

4  
5 Fire Chief Branden noted most dead end streets are referred to as “court” instead of  
6 “drive” for emergency purposes. Councilperson Saunders moved to assign the  
7 above listed street as “Geno’s Court”, seconded by Councilperson DeWitt.  
8 Motion carried unanimously.

9  
10 3. Discussion of Parking Changes for Police Vehicles on Tomlinson Avenue.  
11 Committee recommends removing three parking meters on the east side of  
12 Tomlinson Avenue just north of the Police Department.

13  
14 Councilperson Saunders moved to approve the removal of three parking meters in  
15 front of the police department, seconded by Councilperson DeWitt. Motion  
16 carried unanimously.

17  
18 **COUNCIL ITEMS:**

19 \* **Haynes** – Commended the street sweeper driver for doing a great job around  
20 town.

21 \* **D. Wood** – Nothing at this time.

22 \* **DeWitt** – Asked Manager Healy if he would look into removing the tree behind  
23 her neighbor’s house on Ruby Street located in the unused alley.

24 \* Asked if Manager Healy was able to find out anything about the light on  
25 Tomlinson Avenue? Manager Healy said they were using the same process as the  
26 light on Birch Avenue.

27 \* **Saunders** – Commended City Manager Healy for taking care of the tree on  
28 Center Street.

29 \* **Remke** – Commended the Arts & Culture Committee for an excellent job  
30 organizing the Jefferson Avenue Friday’s.

31  
32 Councilperson Haynes moved to adjourn, seconded by Councilperson DeWitt.  
33 Motion carried unanimously.

1 Meeting adjourned at 8:25 p.m.

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Sondra J. Hewitt, City Clerk

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Phil Remke, Mayor

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