

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**
2 **MOUNDSVILLE**
3 **JULY 21, 2020**

4
5 The Council of the City of Moundsville met in regular session in the Council Chambers
6 on July 21, 2020 at 7:00 pm.

7
8 Meeting was called to order by Mayor David Wood.

9
10 Vice Mayor Judy Hunt gave an invocation before recitation of the Pledge of Allegiance.

11
12 Acting City Clerk Ankrom called roll and the following Councilpersons were in
13 attendance: DeWitt, Hickman, Vice Mayor Hunt, Remke, Saunders, Sara Wood, and
14 Mayor D Wood. Also present were City Manager Healy, Police Chief Mitchell, Building
15 Inspector Richmond and Attorney White. Absent was City Clerk Hewitt (vacation.)

16
17 **MINUTES:**

18 **Regular Council Meeting of July 7, 2020**

19 Councilwoman DeWitt made a motion to accept as presented the minutes of the July 7,
20 2020 Regular meeting. Motion was seconded by Councilwoman Hickman.

21
22 Councilwoman Hickman noted page 7, line 11 discussing creation of a holiday for June
23 19; the year “2020” should be eliminated. Councilwoman DeWitt made a motion to accept
24 the minutes as amended. Motion was seconded by Councilwoman Hickman and carried
25 unanimously.

26
27 Original motion on approval of minutes then carried unanimously.

28
29 **GENERAL PUBLIC HEARING:**

30 Carole Wood, on behalf of the Historic Landmarks Commission, informed Council of a
31 “Chalk the Walk” event to be held August 18 in the Historic Business District on Jefferson
32 Avenue. Historic Landmarks members plan to partner with the Arts & Culture
33 Commission to seek community support in purchasing chalk and refreshments. Messages
34 will remain positive and uplifting, and social distancing guidelines will be maintained.

35
36 Carole Wood also noted the Historic Landmarks Commission is maintaining the flower
37 boxes at the corner of Jefferson Avenue and 5th Street.

38
39 Mr. Michael Crown of 415 Annadale Avenue explained there was a sewage backup, on
40 July 13, 2020, at his residence. Mr. Crown called the City; the employee who responded
41 did not spend much time looking into the problem but determined the City line was “too
42 big” to have a blockage. Mr. Crown then had to contact a plumbing company and paid

1 \$500.00 for the line to be cleaned, at which time it was discovered the blockage was in
2 the main line. Mr. Crown contacted the Waste Water Treatment Plant again after getting
3 more sewage backup in his basement; an employee named “Tim” responded and was very
4 helpful in discovering the broken main. Mr. Crown simply wants to recoup the \$500.00
5 that wasn’t necessary to spend; and Mrs. Crown lost a day’s work cleaning and bleaching
6 their basement. Mayor Wood and Manager Healy encouraged Mr. Crown to attend the
7 August Sanitary Board meeting to request reimbursement.

8
9 **A. Presentation of the 2018-2019 City of Moundsville Audit by Tim Loper of**
10 **BHM CPA Group**

11 Tim Loper of BHM CPA Group appeared via Zoom to discuss the June 30, 2019 Regular
12 Audit. Mr. Loper commended Manager Healy and his staff for working diligently to
13 provide the requested information and transfer it in a timely manner. Mr. Loper explained
14 the process of reviewing the financial information and test samples. No internal control
15 or non-compliance issues were discovered and all transactions were properly reported.
16 Mr. Loper noted the opinion on page 3 is the “cleanest” that can be given.

17
18 Councilman Saunders made a motion to accept the June 30, 2019 Regular Audit report.
19 Motion was seconded by Councilwoman Hickman and carried unanimously.

20
21 Mayor Dave Wood commended the City Clerk’s Office staff for their diligence.

22
23 **B. H Carl Boso - Moundsville Issues**

24 H Carl Boso of 305 10th Street was not in attendance.

25
26 No one else wished to address Council.

27
28 **CONSIDER PUBLIC HEARING:**

29 **A. Consider a Public Hearing Regarding Creation of the City of Moundsville**
30 **Development/Redevelopment District No 1 and Project No 1 for TIF (Tax**
31 **Increment Financing) District**

32 Councilman Remke made a motion to adjourn the Regular Meeting and open the Public
33 Hearing to discuss creation of the TIF District. Motion was seconded by Councilwoman
34 Hickman and carried unanimously.

35
36 Matt Coffland of 1501 Water Street thanked Council for being proactive in addressing this
37 opportunity for Moundsville.

38
39 Councilman Remke mentioned some property he wanted to discuss annexation of, but this
40 was not the proper time to do so.

41
42 Hearing no other comments, Councilman Saunders made a motion to accept the presented

1 comment and close that portion of the public hearing. Motion was seconded by
2 Councilwoman Sara Wood and carried unanimously.

3
4 Vice Mayor Hunt made motion to close the Public Hearing regarding creation of a TIF
5 District. Motion was seconded by Councilman Remke and carried unanimously.

6
7 Councilwoman Hickman made a motion to reconvene the Regular Council Meeting,
8 which was seconded by Councilwoman Sara Wood and carried unanimously.

9
10 **MANAGER ITEMS:**

11 1. Departmental Monthly Reports were mistakenly omitted from your packets this week. You
12 have those in front of you tonight. Since you did not have time to review them, and the De-
13 partment Heads are not present again, if you have any questions, please submit them to me
14 tomorrow, and I'll follow up.

15 2. As noted in my last Council report, I applied to the State of West Virginia for certain
16 payroll expense reimbursement from the CARES Act funding. I'm happy to report we were
17 approved for a reimbursement of \$250,907.25 for the months of March and April. We will
18 continue to request reimbursement monthly until the emergency declaration is terminated or
19 funds are depleted.

20 3. The 1% Municipal Sales Tax was received last week, and I was extremely pleased to see
21 the amount of \$452,143.86 received. As I've said multiple times, I thought the July amount
22 would help us measure the overall impact the COVID shutdown had on the City. This deposit
23 having been for the second quarter (April, May, and June), while many businesses were
24 closed for two of those months, was a bright light at the end of the tunnel. By the end of this
25 month, we will see the impact on the Business & Occupation Tax.

26 4. The COVID-19 testing done on July 11th by the Marshall County Health Department and
27 National Guard was a success, in that 484 people were tested; only two positives resulted
28 from the testing, and only one from Marshall County.

29 5. Due to the latest Executive Order from Governor Justice, the dedication of the new Historic
30 Landmarks plaque at the former West Virginia Penitentiary was postponed. Historic Land-
31 marks Chairperson Carole Wood will keep us updated on the rescheduling date.

32 6. Also due to the Executive Order, rather than cancelling Family Fun Nights, Director White
33 made a few changes at Four Seasons Pool. The evening has been split into halves, with fam-
34 ilies opting for either the first 90 minutes or last 90 minutes of swim time. Last week worked
35 out great, with some people calling to reserve their time slot. Thanks to Rec Director White
36 for going with the flow and making these changes on short notice.

1 7. The Splash Pad Engineering Selection Committee met on July 8 to hear presentations from
2 three interested firms. After scoring sheets were compiled, The Thrasher Group had the high-
3 est cumulative score. I am in the process of fee negotiations with them, which I hope to com-
4 plete by the end of the week.

5 8. As part of our agreement with McKinley, they prepare and accept proposals for any spe-
6 cialty work outside their normal scope. One such is for property boundary research and mark-
7 ing; rights-of-way and easements, setbacks, flood zones and historical districts; a topographic
8 survey; site improvement location services, and general survey services.

9 Proposals were returned to McKinley, and I was advised the low bid was \$5,700.00 from
10 Stegman & Schellhase. Since we are familiar with them, they have advised me to sign a
11 Proceed with Survey Order for this work – avoiding additional fees billed through McKinley.

12 9. Additional update on the new Municipal Building – a second meeting to discuss the Con-
13 cept Space List will be held next Tuesday, July 28, with time to be determined. This meeting
14 will be to review Draft #2 of the Space Requirements.

15 10. I had a meeting last week with Art Lightner from the DOH and Superintendent Stocklask
16 to develop a plan for removal of trees on Route 2. The DOH has agreed to supply all traffic
17 control requirements, and additional help as well, with our Street Department doing actual
18 removal and disposal of the trees. The size of these trees exceeds what the DOH permits and
19 require more care than we can supply. This type of partnership is what I strive to see with
20 everyone.

21 11. I also participated in a meeting last week with Marshall County Schools regarding the
22 back-to-school plan. While nothing is in stone, everyone agrees it is in the best interest of the
23 kids to go back to school; but safety of the children, teachers, and staff are the most important
24 factor. I commend Dr. Shelby Haines for her work developing a plan while the COVID results
25 continue to rise.

26 12. At the request of Councilman Remke, I had Superintendent Stocklask get quotes for the
27 trees on Jefferson Avenue. The lowest quote received, to trim 32 trees and remove 1 dead
28 tree, was from Acorn Tree Service in the amount of \$5,250.00. This money was not budgeted
29 for the Street Department, so I will have to determine where the funds can come from.

30 13. We will be receiving \$2,970.00 from West Virginia Fairs and Festivals as contribution to
31 our 2020 fireworks display.

32 14. Please continue to patronize local establishments and shops as they continue to struggle
33 from the effects of COVID-19.

34
35

1 **OLD BUSINESS:**

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

3 * Councilwoman Sara Wood reminded that Mountaineer Food Bank will be distributing
4 boxes of food on Thursday from 11:00 am until 1:00 PM at Four Seasons Pool.

5
6 * Councilman Saunders noted the house on the 1300 block of 3rd Street with bushes
7 growing wild. Inspector Richmond will verify this residence is on his list.

8
9 * Councilman Saunders asked about paving. Manager Healy expects to have the maps
10 and specs tomorrow.

11
12 * Councilwoman Hickman asked if it's been determined whether individual Council
13 members can attend meetings via Zoom, or some other media platform. Attorney White
14 has not looked into that yet.

15
16 * Councilwoman DeWitt expressed displeasure that, once again, the paving project is
17 taking too long to get started.

18
19 * Councilwoman DeWitt noted the sign on 7th Street has been installed, commemorating
20 former Police Chief Thatcher. Manager Healy has spoken with WTOV-9 about the story,
21 but has yet to schedule an interview with WTRF-7.

22
23 * Councilman Remke asked about 7th Street. Manager Healy confirmed the issue was
24 discussed at the Sanitary and Stormwater Board meetings. Two test holes were drilled,
25 and there is water in the void; but it has not yet been determined whether it's a broken line
26 or other infiltration. The line will be camera'd before paving starts.

27
28 * Councilman Remke asked about Permit Parking Only spots at the intersection by
29 Central Elementary and the new Unified Bank Branch. Council has not yet agreed on
30 designating those spots.

31
32 * Councilman Remke noted motorists are still going both ways on Court Avenue, off of
33 2nd Street. Manager Healy informed the sanitary line will eventually be moved and the
34 road behind the stadium will be closed again, but new "One Way Only" signs could be
35 posted.

36
37 * Councilman Remke asked when the salt hut is due to be constructed. Manager Healy
38 informed the contract was awarded, but no start date has been set.

39
40 **NEW BUSINESS:**

41 **A. Discussion and Approval of a Resolution Authorizing the Submission of a TIF**
42 **Application to the WV Development Office**

1 Councilwoman DeWitt made a motion to approve the resolution authorizing submission
2 of the TIF Application. Motion was seconded by Vice Mayor Hunt. Mayor Wood asked
3 for a roll call vote, to which Acting Clerk Ankrom announced the following tally: seven
4 yeas. Motion carried unanimously.

5
6 **B. Discussion and Approval to Revise Article 1109 of the City Code Dealing with On-
7 Site Citation for Public Nuisance Violations (First Reading)**

8
9 Attorney White read the Ordinance by title only:

10 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE TO AMEND AND RE-
11 ENACT ARTICLE 1109 OF THE CITY CODE RELATING TO ADDITIONAL
12 METHODS OF ENFORCEMENT OF EXTERIOR SANITATION, PUBLIC
13 NUISANCE VIOLATIONS, BUILDING VIOLATIONS, ZONING VIOLATIONS,
14 FLOOD PLAIN VIOLATIONS, AND THE LIKE, INCLUDING, BUT NOT
15 LIMITED TO, PROVIDING FOR ON-SITE CITATIONS ISSUED BY A
16 BUILDING INSPECTOR OF THE CITY OF MOUNDSVILLE**

17
18 Councilwoman Hickman made a motion to approve the revision to Article 1109 allowing
19 for on-site citations for Public Nuisance Violations. Motion was seconded by
20 Councilwoman DeWitt. Manager Healy confirmed an understanding was reached on the
21 language in the Ordinance. Attorney White informed this would broaden the scope of
22 authority for the Building Inspectors to issue on-site citations. Mayor Wood asked for a
23 roll call vote, to which Acting Clerk Ankrom announced the following tally: seven yeas.
24 Motion carried unanimously.

25
26 **C. Discussion and Approval of Request from Lt Steve Kosek to Forgive a Funding
27 Shortfall from the Police Pension & Relief Fund in the Amount of \$77,000.00**

28 Manager Healy highlighted the details leading up to Lieutenant Steve Kosek’s request for
29 the City of Moundsville to “forgive” approximately half of the total amount of Police
30 Pension benefit payments paid from the General Fund for Fiscal Year ending June 30,
31 2020. Blair Taylor, of the WV Municipal Pension Oversight Board, was contacted for
32 guidance and confirmed the City is not responsible to contribute any more than is
33 calculated in the annual worksheets.

34
35 Discussion was held on the purpose of maintaining the Fire & Police Pension Funds, the
36 required annual actuarial studies, and how the City’s contribution is calculated.

37
38 Mayor Wood clarified that the total amount of \$154,477.60 was disbursed, and all retirees
39 were paid the obligated benefit payments.

40
41 Manager Healy explained that, regardless of when the issue was addressed, the dollar
42 amount does not change, whether it was paid from the General Fund or the Police Pension

1 & Relief Fund. Therefore, the shortage of funds in the Pension checking account does not
2 change.

3
4 Councilwoman DeWitt opined that Council members hardly ever disagree when
5 expenditures are approved to buy property, for raises or health insurance, bonuses, etc; but
6 Police and Fire requests seem to always be a point of debate.

7
8 Councilman Remke made a motion to deny forgiveness of the funding shortfall, in the
9 amount of \$77,000.00, for the Police Pension & Relief Fund, which was seconded by Vice
10 Mayor Hunt. After debate about making motions in the negative, Vice Mayor Hunt
11 rescinded her second and Councilman Remke rescinded the motion.

12
13 Councilman Saunders then made a motion to forgive the shortfall of \$77,000.00 for the
14 Police Pension Fund, which was seconded by Councilwoman DeWitt. Motion failed.

15
16 **D. Discussion and Approval of Budget Revision #1 for the 2020-2021 General Fund**
17 Vice Mayor Hunt made a motion approving Budget Revision #1 for the 2020-2021
18 General Fund Levy Estimate. Motion was seconded by Councilwoman Hickman and
19 carried unanimously.

20
21 **E. Discussion and Approval of Creating a Municipal Holiday on June 19 as a Day to**
22 **Commemorate the Abolishment of Slavery in the United States of America**

23 Councilwoman Hickman explained the history behind the June 19, “Juneteenth,”
24 celebration of the end of slavery in the United States of America. The United States
25 Congress will soon consider legislation making “Juneteenth” a Federal Holiday.
26 Discussion was held on holding community events to educate the public on the importance
27 of this day in the life of individuals and our nation. Councilwoman Hickman noted some
28 companies encourage employees to participate in a “Day of Service” to their communities.
29 Discussion was held on not just providing employees with a day off, but also offering
30 educational and service opportunities to impress the importance of this event.

31
32 Discussion was held on forming a Proclamation, similar to the one issued by West Virginia
33 Governor Justice; or an ordinance spelling out details for a “Day of Recognition.”

34
35 Councilwoman Hickman made a motion to make June 19, “Juneteenth,” a municipal
36 holiday granting a paid day-off for City of Moundsville employees. Motion was seconded
37 by Councilman Saunders. Mayor Dave Wood asked for a roll call vote, to which Acting
38 Clerk Ankrom announced the following tally: five yeas, 2 nays; Mayor Dave Wood and
39 Remke voting nay. Motion carries.

40
41 **Other items to be Discussed by Council**

42 * Councilman Remke made a motion to recognize Jose Castro for his assistance in saving

1 a woman during a recent dog attack. Motion was seconded by Vice Mayor Hunt and
2 carried unanimously. Chief Mitchell should have Mr. Castro's contact information.

3
4 * Councilman Remke made a motion for the Traffic Committee to discuss extending free
5 parking at meters, for another two to three months, in the Historic Business District.
6 Motion was seconded by Councilwoman Sara Wood. It was suggested to limit the time
7 frame in order to keep residents in that area from occupying the metered spaces during the
8 day. Manager Healy commented the free parking was supposed to end on July 27; and he
9 has been looking into purchasing vinyl bags or sleeves to put on the meters for such
10 occasions. Motion carried.

11
12 * Councilman Remke made a motion to discuss at Finance Committee having Manager
13 Healy look into the BUILD Grant, formerly known as ISTEAA, to extend the decorative
14 sidewalks along Jefferson Avenue. Manager Healy explained the new grant process is
15 difficult to navigate; and consultant services and other funding sources will be needed.
16 The City of Wheeling was recently denied funds through this grant; and most approved
17 projects have been strictly roadways. Councilwoman Sara Wood seconded the motion,
18 with a suggestion that Manager Healy reach out to BelOMar for assistance. Motion
19 carried unanimously.

20
21 * Councilman Remke made a motion to discuss at Policy Committee annexation of the
22 Consol Energy property, which is adjacent to the proposed TIF District. Councilwoman
23 DeWitt seconded the motion for discussion. Manager Healy explained the TIF application
24 will be submitted as is; however, it can be amended later to add the proposed property, if
25 annexation is approved. Attorney White briefly explained the annexation process, which
26 is halted, if the current property owner disagrees with the request. Mayor Dave Wood
27 asked for a roll call vote, to which Acting Clerk Ankrom announced the following tally:
28 six yeas, one nay; Saunders voting nay. Motion carried.

29
30 * Councilman Remke asked about the Code Enforcement Officer, whether it should be a
31 Police Officer or Building Inspector. Attorney White explained the difference in authority
32 between the two positions. Councilman Remke made a motion to discuss at Traffic
33 Committee booting vehicles for non-payment and/or failure to appear at court hearings.
34 Motion died for the lack of a second. Manager Healy reminded that warrants are issued
35 for failure to appear in Municipal Court.

36
37 * Councilwoman DeWitt stated the recycling program is moving forward. She reviewed
38 a list of items that can be recycled, and informed that Target is accepting recyclables. The
39 Youth Environmental Program awards \$15,000.00 to youth groups who promote a
40 recycling program.

41
42 * Vice Mayor Hunt commended Finance Director Ankrom for excellent work in

1 preparation for the Audit. She pointed out, on page 77 of the Audit Report, a note about
2 the Series 11 A Revenue Bonds for the Sanitary Board. Manager Healy will look into that.

3
4 * Vice Mayor Hunt informed of a large, dangerous dip in the road at 90 Highland Avenue.
5 There were orange cones around the sinking storm drain at one time. Manager Healy will
6 have Director Stocklask take a look.

7
8 * Councilwoman Sara Wood asked Manager Healy to look into the WV OnTrac Program
9 again.

10
11 * Councilwoman Sara Wood made a motion to discuss at Policy Committee Council's
12 goals. Councilman Saunders seconded the motion, which carried unanimously.

13
14 Manager Healy read a letter, from Joe Parriott of Lily Lane, in support of the TIF District
15 proposal. Councilman Remke made a motion to receive and file the letter, which was
16 seconded by Councilwoman Hickman and carried unanimously.

17
18 **MAYOR ITEMS:**

- 19 • Mayor Wood thanked Manager Healy and Finance Director Ankrom for contributing
20 to the good Audit report.
21
22 • Mayor Wood promoted the Mountaineer Food Bank distribution scheduled for
23 Thursday.

24
25 **COMMITTEE REPORTS:**

26 ***Reports by the Finance Committee***

27 Vice Mayor Hunt reviewed items discussed by the Finance Committee at the July 14
28 meeting and pointed out no action was taken on the new municipal building presentation
29 by Crews & Associates or the Moundsville Volunteer Fire Department contract renewal.

30
31 ***Reports by the Traffic Committee***

32 Councilman Saunders commented that no action was taken by the Traffic Committee on
33 a request for a 4-way stop sign at 8th Street and Henrietta Avenue.

34
35 ***Reports by the Policy Committee***

36 Councilwoman Sara Wood noted the amendment to Article 1109 and the "Juneteenth"
37 holiday were approved earlier in the evening; and Council goals will be discussed at the
38 August Committee meeting.

39
40 **COUNCIL ITEMS:**

41 Nothing was discussed.

1 **NEW BUSINESS:**

2 **F. Executive Session to Discuss Real Estate**

3 Councilman Saunders made a motion to enter into Executive Session, which was seconded
4 by Vice Mayor Hunt. Council took a two-minute recess before entering Executive
5 Session.

6

7 Executive Session began at 9:20 PM.

8 Executive Session ended at 9:22 PM.

9

10 Councilman Remke made the motion to adjourn, which was seconded by Councilman
11 Saunders. Meeting adjourned at 9:22 PM.

12

13

14

15 _____
Karen L Ankrom, Acting City Clerk

David L Wood, Mayor