

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**  
2 **MOUNDSVILLE, FEBRUARY 18, 2020**

3  
4 The Council of the City of Moundsville met in Regular Session in the Council  
5 Chambers on February 18, 2020 at 7:00 p.m.

6  
7 Meeting was called to order by Mayor David Wood.

8  
9 Invocation by Vice Mayor Judy Hunt.

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

16  
17 **MINUTES:**

18  
19 **Regular Council Meeting of February 4, 2020.**

20  
21 Councilperson Saunders moved to accept and approve the minutes of the regular  
22 council meeting of February 4, 2020, seconded by Vice Mayor Hunt. Motion  
23 carried unanimously.

24  
25 **GENERAL PUBLIC HEARING:**

26  
27 \* Ernie Dellatorre, McKinley & Associates, introduced himself to council saying  
28 he looks forward to working with City Manager Healy and council during the  
29 construction of the new municipal building.

30  
31 \* Brad Varlas, 1107 12<sup>th</sup> Street, said he is opposed to the proposed increase of the  
32 stormwater fee. He feels everyone should pay the increase not just business  
33 owners. And wanted to know where the city lowered the B&O taxes when the  
34 Municipal Sales & Use tax was implemented. Mayor D. Wood said the city  
35 decreased the retail and manufacturing by 5%.

36  
37 **MANAGER ITEMS:**

38  
39 1. I met with Dr. Haines from the Marshall County School Board to discuss the  
40 “No Left Turn” in the southbound lane at Monarch Stadium, and the return of

1 Court Avenue to one-way. The Court Avenue situation is good, with a restriction  
2 only later this spring for a couple weeks. I'll make sure Superintendent Stocklask  
3 is aware, and if any signage is needed, we have it installed. As for the No Left  
4 Turn, an additional meeting is scheduled in the coming weeks with the Department  
5 of Highways.

6 2. Reminder about the "one item" bulk pick-up policy. The first full week of every  
7 month will be bulk week. Anyone having a large item that needs picked up,  
8 should have this item out for their regular pick-up day during that week. The rest  
9 of the month, a customer can call in to the office and request an additional or  
10 emergency pick-up and pay for that pick-up (\$12.00). No bulk items will be  
11 picked up other than the first week or items paid for. This will take effect March 1,  
12 2020, and will be advertised in the Echo, website, and Facebook page, starting this  
13 week. We understand and expect to have some small issues along the way, but the  
14 Sanitation Department is prepared to deal with them.

15 3. You have received the paving priority lists in your packets. We'll have more  
16 discussion on this at the next Council Meeting concerning available funds for this  
17 year, we are expecting approximately \$550,000.

18 4. Building Inspector Richmond and I attended the Marshall County Board of  
19 Health meeting last Wednesday. A large contingent was on hand to discuss the  
20 WV Medical Cannabis law. The Board heard from many people concerning this  
21 issue, and in the end, opted to take no action. What we learned was that the State  
22 law requires each County Board of Health be given the first option to accept or  
23 deny the locating of dispensaries or growers within the County. If that answer is  
24 no, it is dead. If they agree, it goes to the County Commission for their decision.  
25 It could be placed on a ballot at that time. Our local Board opted to wait until the  
26 State received any applications from Marshall County to make a decision. My  
27 underlying thought is that they will accept dispensaries, but not growers. That  
28 being said, I think we need to move forward with including these into our zoning  
29 ordinance.

30 5. Reminder that the Expo is March 6 & 7. I have reserved three booths for the  
31 Expo. Council and City Manager will share one, Fire and Police will share one,  
32 and Parks and Recreation and the Public Works Department will share one. All  
33 booths will have token giveaways, and offer a final door prize. Vice Mayor Hunt  
34 has a schedule for Council to complete.

35

36 **OLD BUSINESS:**

37

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

39

40 **Discussion and Award of the Bid for Lawn Maintenance of City Parks.**

1 Councilperson Remke moved to table, seconded by DeWitt. Mayor D. Wood  
2 called for a voice vote. 5 nays, 2 yeas. Dewitt and Remke voting yea. Motion  
3 failed.

4  
5 After discussing the proposed bids, Vice Mayor Hunt moved to award MT Lawn  
6 Maintenance @ Valley Fork Baseball Field in the amount of \$1049.00 per week;  
7 Kyle’s Lawn Care @ Riverfront Park in the amount of \$175 per week; and Kyle’s  
8 Lawn Care @ Valley Fork Girls Softball Fields in the amount of \$175.00 per  
9 week, seconded by Councilperson S. Wood.

10  
11 Mayor D. Wood called for a voice vote. City Clerk Hewitt announced the  
12 following tally 6 yeas, 1 nay. Saunders voting nay. Motion carried.

13  
14 **Discussion and Approval of an Appointment to the Design Review Board**  
15 **(MEDC Designee)**

16  
17 Councilperson Remke moved to approve the appointment of Roselyn Rhodes to  
18 the Design Review Board, seconded by Councilperson DeWitt. Motion carried  
19 unanimously.

20  
21 **Other Items to be Discussed by Council.**

22  
23 \* Councilperson S. Wood asked if citizens were using the app downloads on the  
24 city’s website and using the “report a problem?” Manager Healy said he received  
25 one reported, three general contacts and two applications online.

26 \* Vice Mayor Hunt reported receiving employee recognition surveys from City  
27 Manager Healy, she will compile the surveys and make a report to council.

28 \* Councilperson Saunders asked if the Street Department completed all requests  
29 for gravel in alleys? Director Stocklask said he has not had any work orders.

30 \* Councilperson Remke moved to have an executive session for real estate matters  
31 following the regular council meeting, seconded by Councilperson DeWitt.  
32 Motion carried unanimously.

33 \* Councilperson Remke asked if the training class for the Planning Commission  
34 and Zoning Appeals Board members has been rescheduled? Manager Healy said  
35 the meeting will not be scheduled until sometime near the end of March.

36 \* Councilperson Remke asked for update on the Fostoria Bridge project. Manager  
37 Healy said he just waiting to hear from WV DOT on the design.

38 \* Councilperson Remke asked if the bill paying app on the website has been  
39 adjusted for the older generation? Manager Healy said he is not sure if it can be  
40 adjusted but they are looking into it.

1 **NEW BUSINESS:**

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

4 \* Councilperson Hickman said her City of Moundsville email is ready for use.

5 \* Councilperson Remke asked City Manager Healy to speak with WV DOT to  
6 request reflective turn arrows at Rt. 2 & Jefferson Extension.

7 \* Councilperson DeWitt reported vehicles still making left turn into the stadium  
8 from Rt.2.

9 \* Vice Mayor Hunt announced Moundsville citizens Hilda Blake and Jim Stultz  
10 are being recognized at the Arts & Culture Center in Charleston as WV Heroes and  
11 feels council should honor them as well, seconded by Councilperson Remke.  
12 Mayor D. Wood included William Hal Gorby also to be recognized. Motion  
13 carried unanimously.

14 \* Councilperson S. Wood asked when the bill pay app be fully operational?  
15 Manager Healy said it is very very close.

16 \* Councilperson S. Wood asked that council be aware of some legislative bills that  
17 would effect municipalities: The Zombie Property Bill which would allow  
18 municipalities to initiate the foreclosure process on properties they can prove have  
19 been abandoned; The Safe Home Bill which would require municipal governments  
20 to set a program to help homeowners fix unsafe conditions on their properties;  
21 Another bill will require city and county governments to maintain a website.

22 \* Councilperson S. Wood recommended council meet with our legislatures before  
23 and after legislative sessions to discuss upcoming bills.

24 \* Vice Mayor Hunt also noted another legislative discussion is a Bad Buildings  
25 Bill.

26  
27 **MAYOR ITEMS:**

28  
29 \* Mayor D. Wood asked for an update on the damaged boat docks. Manager  
30 Healy said he did not get an answer today but hopefully will have one tomorrow.

31 \* Mayor D. Wood asked for a demolition update. Building Inspector Richmond  
32 reported all the testing has been done. He is in the process of compiling everything  
33 for the bid process.

34 \* Mayor D. Wood asked Manager Healy if he would like to comment on any  
35 legislative updates or bills? Manager Healy said he will keep watching the State  
36 Sales Tax bill. Another bill of interest is opportunity for the municipality to  
37 preserve a lien may only apply if you have a landbank or urban renewal agency.

1 **COMMITTEE REPORTS:**

2  
3 **Discussion of Recommendations by the Finance Committee.**

4 1. Discussion of Donation Request for Moundsville High School Alumni  
5 Weekend. Committee recommends donating \$100 to the event.

6  
7 Vice Mayor Hunt moved to approve donating \$100 to the Moundsville High  
8 School Alumni, seconded by Councilperson Remke. Motion carried unanimously.

9  
10 2. Presentation Concerning Property & General Liability Insurance Coverage  
11 Renewal by Brent Burton of Commercial Insurance. Committee recommends to  
12 accept the annual renewal quote by Zurich and include an optional quote for cyber  
13 liability.

14  
15 Vice Mayor Hunt moved to accept the quote by Zurich and include an additional  
16 option for cyber liability, seconded by Councilperson DeWitt. Mayor D. Wood  
17 called for a voice vote. City Clerk Hewitt announced the following tally. 6 years, 1  
18 abstain. Remke abstaining saying he was not present at the subcommittee meeting.  
19 Motion carried.

20  
21 **Discussion of Recommendations by the Policy Committee.**

22 1. Discussion on Definition and Zoning of Medical Marijuana Dispensaries.  
23 Committee recommends direct City Attorney to (1) establish formal definitions of  
24 medical marijuana (2) draft an ordinance to allow marijuana dispensaries in  
25 commercial areas of the City of Moundsville Zoning code.

26  
27 Councilperson S. Wood moved to direct Attorney White to draft an ordinance to  
28 establish formal definitions of medical marijuana, seconded by Councilperson  
29 Hickman. Motion carried unanimously.

30  
31 Councilperson S. Wood moved to direct Attorney White to draft an ordinance to  
32 allow marijuana dispensaries in commercial areas of the City of Moundsville  
33 Zoning code, seconded by Councilperson DeWitt. Motion carried unanimously.

34  
35 2. Discussion of Zoning Codes Concerning Off Street Parking for New Businesses  
36 on Jefferson Avenue. Committee recommends direct Attorney White to draft an  
37 ordinance revising the City of Moundsville Zoning code pertaining to required off  
38 street parking for new businesses and grandfather existing businesses.

39 Councilperson S. Wood moved to direct Attorney White to draft an ordinance  
40 revising the City of Moundsville Zoning Code pertaining to off street parking in

1 C-2 zones, seconded by Councilperson Saunders. Motion carried unanimously.

2  
3 **COUNCIL ITEMS:**

4  
5 \* **DeWitt** - Provided council with copies of Recycling Meeting minutes. She said  
6 another meeting will be scheduled at a later date.

7 \* Said she has heard a lot of positive comments on the city's website/app.

8 \* Asked Mayor D. Wood to remove her from the Arts & Culture Committee due to  
9 personal issues and replace her with Councilperson Brianna Hickman. Mayor D.  
10 Wood asked Ms. Brinkman if she would consider the appoint.

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

12 \* **Hickman** - Nothing at this time.

13 \* **Saunders** – Commended Parks & Recreation Director White for his speech at  
14 the Moundsville Lions Club Meeting.

15 \* **Hunt** – Said council needs to take steps to increase Police Officers salaries and  
16 provide support.

17 \* **S. Wood** – asked City Manager to arrange for delegates to attend council  
18 meetings to get updates on legislation.

19  
20 Councilperson Saunders moved to recess before going into executive session,  
21 seconded by Vice Mayor Hunt. Motion carried unanimously.

22  
23 Meeting recessed at 8:26 p.m.

24 Meeting reconvened at 8:32 p.m.

25 Executive session began at 8:33 p.m.

26 Executive session adjourned at 8:59 p.m.

27 Regular session reconvened at 8:59 p.m.

28  
29 Councilperson S. Wood moved to adjourn, seconded by Councilperson Remke.

30 Motion carried unanimously.

31  
32 Meeting adjourned at 9:00 p.m.

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34  
35 \_\_\_\_\_  
36 Sondra J. Hewitt, City Clerk

\_\_\_\_\_

David Wood, Mayor