

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **MARCH 17, 2015**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers
5 on March 17, 2015 at 7:00 PM.

6
7 Meeting was called to order by Mayor David Wood.
8 Invocation was given by Councilman K Mark Simms.

9
10 Acting City Clerk Ankrom called roll and the following Councilpersons were in
11 attendance: DeWitt, David Haynes, Paul Haynes, Hendershot, Simms, and Mayor Wood.
12 Absent was Vice Mayor Saunders, who was out of town. Also present: Acting City
13 Manager Hewitt, Fire Chief Clarke, Police Chief Mitchell, Public Works Director
14 Richmond, Building Inspector Richmond, CPA Goddard, and Attorney White. Absent
15 was City Manager Hess, due to illness.

16
17 **MINUTES:**

18 **Regular Council Meeting of March 3, 2015**

19 Councilman Paul Haynes made a motion to accept the March 3, 2015 minutes as
20 presented. Motion was seconded by Councilwoman DeWitt and carried unanimously.

21
22 **Special Council Meeting of February 24, 2015**

23 Councilman Paul Haynes made a motion to accept the February 24, 2015 Special Meeting
24 minutes as presented. Motion was seconded by Councilman Simms and carried
25 unanimously.

26
27 **GENERAL PUBLIC HEARING:**

28 * Rick Yanen of 100 Spruce Street presented Council with a petition of 22 signatures from
29 residents of Highland Hills. The residents are concerned about the condition of the streets
30 and low water pressure. Mr. Yanen praised the garbage workers and street sweepers, as
31 they do an excellent job! Also, Stormwater Superintendent Bonar installed a drain across
32 Harmony Drive that has helped immensely with keeping water drainage from pooling and
33 icing on the roadway. Mayor Wood confirmed that Spruce Street and Harmony Drive are
34 on the paving priority list and will be engineered. Councilwoman DeWitt suggested
35 having the Water Board correct the water pressure before paving in the area. Councilman
36 David Haynes explained the Water Board has looked at the water pressure issue and,
37 according to the meter readings, they meet minimum regulations as required by the Public
38 Service Commission. Discussion was held on residents installing individual bladders
39 and/or tanks to increase the water pressure in their homes.

40
41 * Theresa Thomas of 1211 Agnew Street expressed concern about the dangerous
42 intersection at Agnew Street, turning onto Parriott Avenue. The residents of the corner

1 house on Parriott Avenue park on the street and the view of oncoming traffic is often
2 obstructed. Director Richmond extended the yellow line on that corner curb; and the
3 Police Department has checked to make sure vehicles are legally parked. Discussion was
4 held on installing a mirror on the pole across the street from the intersection.

5
6 * Doris Archbold of 1107 Parriott Avenue also expressed concern about the intersection
7 of Agnew Street and Parriott Avenue.

8
9 **PUBLIC HEARING**

10 **Public Hearing on the 2015-2016 General Fund Budget**

11 CPA Goddard presented copies of the July 1, 2015 through June 30, 2016 Levy Estimate,
12 as approved at the Budget Workshops. No one from the audience had any questions or
13 comments on the 2015-2016 Levy Estimate. Hearing no comments, Councilman David
14 Haynes made a motion to close the Public Hearing. Motion was seconded by
15 Councilwoman DeWitt and carried unanimously.

16
17 **OLD BUSINESS:**

18 **Discussion and Approval of an Ordinance to Abandon a Portion of an Alley Running**
19 **from Purdy Avenue to Lockwood Avenue Between Eleventh Street & POW Street**
20 **(Marshall County CO-OP Property) (Second Reading)**

21
22 Attorney White read the following ordinance by title only:
23 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA,**
24 **VACATING, ABANDONING, AND ANNULLING A PORTION OF AN ALLEY**
25 **BETWEEN PURDY AVENUE AND LOCKWOOD AVENUE (SECOND**
26 **READING)**

27
28 Councilman Simms made a motion to approve the ordinance on second reading, which
29 Councilman Hendershot seconded.

30
31 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
32 following tally: 6 yeas. Motion carried unanimously.

33
34 **Discussion of Revising Article 355 Motorized Recreational Apparatus Vehicles to**
35 **Require Proof of Insurance (Second Reading)**

36
37 Attorney White read the following ordinance by title only:
38 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE TO AMEND AND**
39 **REENACT ARTICLE 355 OF THE MOUNDSVILLE CODE PROVIDING FOR A**
40 **PROHIBITION AGAINST THE OPERATION OF CERTAIN MOTORIZED**
41 **RECREATIONAL APPARATUS WITHIN THE CORPORATE LIMITS OF THE**
42 **CITY OF MOUNDSVILLE UPON ANY PUBLIC STREET, ALLEY OR**

1 **PROPERTY; TO MAKE THE OPERATION OF SUCH APPARATUS A**
2 **CRIMINAL OFFENSE; TO PROVIDE PENALTIES THEREFORE; AND TO**
3 **PROVIDE EXCEPTIONS (SECOND READING)**

4
5 Councilman David Haynes made a motion to approve the ordinance on second reading,
6 which Councilman Paul Haynes seconded.

7
8 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
9 following tally: 6 yeas. Motion carried unanimously.

10
11 **Other Items to be Discussed by Council**

12 * Councilwoman DeWitt has noticed no work being done on the former DiCarlos Pizza
13 building. Inspector Richmond explained the building is scheduled for demolition. Acting
14 Manager Hewitt commented the property is also being handled through Moundsville
15 Municipal Court.

16
17 * Councilwoman DeWitt asked if there is a project start date for the Jefferson Avenue
18 Extension bridge? Acting Manager Hewitt will find out.

19
20 * Councilman David Haynes commented the Department of Highways has delayed the
21 Route 2 bridge work again.

22
23 **NEW BUSINESS:**

24 **Discussion and Approval of the 2015-2016 City of Moundsville General Fund Budget**

25 Councilman David Haynes made a motion to approve the 2015-2016 General Fund
26 Budget, which was seconded by Councilman Paul Haynes.

27
28 CPA Goddard explained that, after reviewing costs associated with the Police Officer
29 position being left vacant, there were some figures that could not be included in the
30 calculations; therefore, the allocation of salary increase per remaining officer was slightly
31 less than originally expected.

32
33 Motion to approve the 2015-2016 General Fund Budget carried unanimously.

34
35 **Discussion and Approval of a Recommendation by the Moundsville Planning**
36 **Commission to Approve a Zone Change from R-M to C-C-C-H at 1109 Purdy**
37 **Avenue (Marshall County CO-OP Property) (First Reading)**

38
39 Attorney White read the following ordinance by title only:

40 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA,**
41 **PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA ON PURDY**
42 **AVENUE IN THE CITY OF MOUNDSVILLE FROM A MULTI-FAMILY**

1 **RESIDENTIAL ZONE TO A HIGHWAY COMMERCIAL AND INTEGRATED**
2 **COMMERCIAL CENTER ZONE (FIRST READING)**

3
4 Councilman Simms made a motion to approve the zone change ordinance on first reading,
5 which Councilwoman DeWitt seconded.

6
7 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
8 following tally: 6 yeas. Motion carried unanimously.

9
10 **Bid Award for Street Department Loader**

11 Director Richmond confirmed two bids were received: 2015 Komatsu Wheel Loader
12 from ICR Equipment & Supply for \$138,120.00; and 2015 Case Wheel Loader from
13 Southeastern Equipment Company for \$162,099.78. The new loader will replace his
14 department's current equipment, which is an obsolete 1993 model. The Komatsu is a
15 better model and available for immediate delivery. Councilman Simms made a motion to
16 accept the bid from ICR Equipment & Supply for \$138,120.00. Motion was seconded by
17 Councilwoman DeWitt and carried unanimously.

18
19 **Discussion and Approval of a Resolution Authorizing the Application and Contract**
20 **for West Virginia Governor's Community Grant Participation Program Funds in**
21 **the Amount of \$10,000.00 (Moundsville Water Department Equipment)**

22 The 2015 grant funds will be used toward a valve insertion tool, costing about \$52,000.00.
23 The Moundsville Water Board will provide a 10% match and is also seeking financial
24 assistance from the County Commission and other resources. Councilman Simms made
25 a motion approving the resolution authorizing the application, which was seconded by
26 Councilman Hendershot and carried unanimously.

27
28 **Discussion and Approval of a Resolution Authorizing the Application and Contract**
29 **for West Virginia Governor's Community Grant Participation Program Funds in**
30 **the Amount of \$10,000.00 (Computer Program Upgrades)**

31 These funds will be used for computer software upgrades in the City Clerk's Office and
32 require a 10% match. Councilman Simms made a motion to approve the resolution
33 authorizing the application, which was seconded by Councilwoman DeWitt and carried
34 unanimously.

35
36 **Other items to be Discussed by Council**

- 37 * Councilman Hendershot thanked everyone who worked so diligently on the budget!
- 38
- 39 * Councilman Hendershot thanked the Planning Commission for their effort, as they have
40 a more difficult job than Council does when Zone Change requests come up.
- 41
- 42 * Councilman Simms broached discussion on having the City Manager include Spruce

1 Street and Harmony Drive when she drafts the letter to the Stormwater Utility Board. It
2 should be verified whether the Highland Hills area has adequate storm sewers before
3 paving is done.

4
5 * Councilman David Haynes agreed the water drain issue in Highland Hills needs to be
6 looked into.

7
8 * Councilman Paul Haynes also feels the water issues in Highland Hills should be taken
9 care of as soon as possible, before paving the streets.

10
11 * Councilwoman DeWitt asked about Kentucky Avenue, which is half out of the
12 Moundsville City limits. Director Richmond confirmed patching will be done on that
13 street later this week.

14
15 * Councilwoman DeWitt noted that 4th Street, from Clinton to Annadale Avenues, also
16 needs patched.

17
18 **MANAGER ITEMS:**

19 • Acting Manager Hewitt reminded Council members about the Business After Hours
20 on March 26, 2015, beginning at 5:00 at the Grand Vue Park Banquet Hall. Bob's
21 Lunch will be catering the event sponsored by Noble Energy. They will have the first
22 ever "Pitch Contest" sponsored by the West Liberty University Center for
23 Entrepreneurship. Anyone interested in going should contact Secretary Kaufman.

24
25 • Acting Manager Hewitt read a letter from Berry, Kessler, Crutchfield, Taylor, &
26 Gordon regarding the natural gas line replacement at their office. The law firm is
27 willing to bear the expense of repairing the sidewalks, as long as Council agrees the
28 three Bradford Pear trees, in front of their office, do not need to be replaced. The tree
29 roots will cause future damage to the sidewalk. Councilman Simms made a motion to
30 allow removal of the sidewalk and trees, which was seconded by Councilwoman
31 DeWitt. Councilman Hendershot broached discussion on the Bradford Pear trees and
32 the issues they cause with liability. The State of West Virginia will not mow the median
33 on Lafayette Avenue because of the trees growing there. This is definitely an issue
34 that should be looked at. The motion, to allow Berry, Kessler, Crutchfield, Taylor, &
35 Gordon to remove the trees and replace the sidewalks, carried unanimously.

36
37 **MAYOR ITEMS:**

38 • Mayor Wood read a March 12, 2015 letter from Delegate Michael Ferro in regard to
39 the Community Participation Projects, which will not be funded for the 2016 Fiscal
40 Year.

41
42 • Mayor Wood informed Council of some legislative updates, including the Home Rule

1 legislation, which did pass; however, Governor Tomblin has not yet signed this
2 legislation. The Governor is expected to veto the Firearms Act of 2015; and there has
3 been contention over the 30-day extension of Hotel/Motel Tax.
4

- 5 • Mayor Wood commented Vice Mayor Saunders accompanied Gayle Manchin on tours
6 of the Blue Racer and Dominion Plants. Mrs. Manchin spoke at last night's banquet at
7 Grand Vue Park, which was supported in part by the Marshall County Historical
8 Society.
9
- 10 • Mayor Wood read a letter congratulating Moundsville on receiving the BAD Grant and
11 explaining what steps need to be taken next.
12
- 13 • Mayor Wood informed Council of a drug seminar to be held at the MEDC Training
14 Building on April 13, 2015. The Keynote Speaker will be Federal Attorney William
15 Ihlenfeld.
16

17 **COMMITTEE REPORTS:**

18 *Discussion of Recommendations by the Finance Committee*

19 Financial reports were not available for the Finance Committee meeting.
20

21 *Discussion of Recommendations by the Policy Committee*

- 22 1. The Policy Committee recommends leaving Article 349.01, dealing with vehicles
23 running unattended, as it is already addressed in City Code.
- 24 2. The Policy Committee referred the 2015-2016 goals to the next Committee
25 meeting.
- 26 3. Public Works Director Richmond will present, at the April Policy Committee
27 meeting, plans for the Kittle property.
- 28 4. The Policy Committee will invite the Recreation Director and Parks & Recreation
29 Board members to the April meeting, in order to discuss plans for the Recreation
30 Department and Four Seasons Pool.
- 31 5. Public Works Director Richmond will bring suggestions, to the April Policy
32 Committee meeting, for disposal of televisions. In the meantime, customers should
33 be informed on the billing statement about not placing televisions out for pickup.
34

35 *Discussion of Recommendations by the Traffic Committee*

36 **1. Discussion of Paving Priority List for 2015. Committee recommends to review
37 proposed list and have engineered: Magnolia Avenue from 4th to 7th Steet; Pearl
38 Street from Parriott Avenue to Garfield Street; 1st Street from Jefferson to Tomlinson
39 Avenue; Orchid Avenue in Campground; Spruce Street; Harmony Drive; 8th Street
40 from Rt 2 to Lockwood Avenue**

41 Councilman Simms made a motion to have the 2015 Paving Priority List engineered.
42 Motion was seconded by Councilwoman DeWitt and carried unanimously.

1 2. The Traffic Committee will have further discussion, at the April Committee meeting,
2 on the request to create a walking trail going up 10th Street from Lockwood to Jefferson
3 Avenue.

4

5 **COUNCIL ITEMS:**

6 * **David Haynes** – Had nothing at this time.

7

8 * **Simms** – Had nothing at this time.

9

10 * **Paul Haynes** – Commented the alley-way behind the former Gast News Stand, from
11 Fostoria Avenue to Ash Avenue, is in desperate need of patching.

12 * Wants Director Richmond to go with him to look at a sump pump in a yard on Highland
13 Avenue.

14

15 * **DeWitt** – Asked about the Cub Scout Pack 78 annual Cub Scout Cake Bake to be held
16 March 23, 2015 at 6:00 PM at Calvary United Methodist Church. Councilman David
17 Haynes will collect money to go and purchase a cake, as Council has done in the past.

18 * Thanked all who helped at the Home & Business Expo, as it was a great success! She
19 congratulated Norma Meyer, who won the WVU Cookie Jar.

20

21 * **Hendershot** – Asked about a Police Officer who returned to the City's employ, which
22 will allow Officer Crow to return to Moundsville Middle School. Chief Mitchell
23 confirmed that was correct.

24

25 Councilman Hendershot made the motion to adjourn, which was seconded by Councilman
26 Simms. Meeting adjourned at 7:48 PM.

27

28

29

30 _____
Karen L Ankrom, Acting City Clerk

David Wood, Mayor