

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF
MOUNDSVILLE, FEBRUARY 5, 2019**

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

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

City Clerk Hewitt called the roll and the following Councilpersons were in attendance: Dewitt, Haynes, Hunt, Saunders, Vice Mayor David Wood, Sara Wood and Mayor Remke. Also present were City Manager Healy, Police Chief Mitchell, Public Works Director Stocklask, Asst. Fire Chief Kimple, Building Inspector Richmond, Recreation Director Coville, CPA Goddard and Attorney White. Absent: Fire Chief Brandon.

MINUTES:

Regular Council Meeting of January 15, 2019.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of January 15, 2019, seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Amy Toler, 27 Fostoria Avenue, opposed the zone change requested by the Moundsville Volunteer Fire Department to place a campground on the property located across from her residence.

* Rich Wilson, Attorney speaking on behalf of the Moundsville Volunteer Fire Department, presented council with a schematics of the proposed campground and asked that council approve the zone change.

* Arthur Oakland, 320 Ninth Street, said his mother, Carmina Oakland, 29 Fostoria Avenue was unable to attend, has lived on Fostoria Avenue for many years and was opposed to the zone change.

* Carl Boso, 305 10th Street, asked council if they would consider renewing his

Moundsville Marina lease, if not, he needs time to have his property removed. Mr. Boso said he purchased property at 10th Street & Lockwood Avenue and needs curbs painted yellow where he plans to have a driveway. Mayor Remke said City Manager Healy will have information for him by the next regular council meeting.

* David Oakland, 35 Fostoria Avenue, feels that council has already made their decision but opposes the zone change for campground Fostoria Avenue.

* Betty Kachalo, 31 Fostoria Avenue, has lived there for 70 years and does not want a campground in her neighborhood.

OLD BUSINESS:

Other Items to be Discussed by Council.

* Councilperson DeWitt pointed out since Mr. Hart feels the Moundsville Marina is considered a “hot spot” council may not want to lease the area to anyone, however, use the upper portion of the property for a shelter for the walking trail.

* Councilperson Saunders reported hedges have grown onto the sidewalk at 2008 Jackson Street. City Manager Healy will research.

* Councilperson Saunders reported when the Water Department was fixing a water break on First Street they left trash in the area where they were working.

* Councilperson Saunders reported the alley between Thorn Avenue & Sycamore Avenue on Jackson Street needs gravel.

* Councilperson Saunders asked if Mr. Gump on Highland Avenue obtained his business license. City Clerk Hewitt reported sending a letter to Mr. Gump explaining his need of a business license.

* Councilperson Saunders asked for the street sweeper in his neighborhood. He was advised the sweeper was broke at this time.

* Councilperson Saunders requested a street light on Ruby Street near the area Mr. Lee is expanding his campground.

* Councilperson Haynes asked for an update on a complaint by Mrs. Nicaforis concerning neighbors junk against her fence and in the yard. City Manager Healy reported a summons being sent to the property owner to appear in court on Thursday, February 7, 2019 where a citation will be given for Health & Sanitation and junk motor vehicles.

* Councilperson Haynes asked if customers will be able to pay bills online with the computer system? Manager Healy said a module was included in the software package for online bill pay.

* Vice Mayor D. Wood asked if Manager Healy has scheduled a budget workshop? Manager Healy reported meeting with CPA Goddard every Friday to discuss the budget. He requested a budget workshop on February 19, 2019 at 5:00 p.m. before the regular council meeting.

* Vice Mayor D. Wood asked if Manager Healy decided which options he was considering when purchasing the new garbage trucks? Manager Healy said CPA Goddard determined it would not be in the city's best interest to pay off the existing trucks because the interest rate is good. They are considering using funds in the unrestricted "Landfill" account and/or taking some funds from the larger CD to make a larger down payment.

* Councilperson Hunt said in addition to the complaint from 55 Highland Avenue, she said she previously reported 52 Locust Avenue where there are two junk vehicles and trash in the yard. Manager Healy will follow up on the complaint.

* Councilperson S. Wood asked for the status of email addresses for council members. City Manager Healy reported council should receive an email with a link and instructions on how to set those up on their computers.

* Councilperson S. Wood asked Councilperson DeWitt in her reference to the Moundville Marina Boat Landing being a "hot spot", she wondered if that meant when the potential crack plant was building an if so, how far would that "hot spot" will extend? Back to the Riverfront Park? City Manager Healy will contact Tom Hart to verify any questions council has. Councilperson DeWitt feels the use of the Riverfront Park may have to be re-evaluated.

NEW BUSINESS:

Discussion of Committee Assignments.

* Councilperson Haynes discussed ideas and suggestions by the Sanitation Committee that was held on January 17, 2019. Due to influx of population in the city the Sanitation Department is experiencing a larger volume of garbage per week. Spring and Summer adds to the higher volume due to many bags of grass clippings, leaves and brush from residents. Discussion was held on the possibility of the dumpster fee increasing due to construction materials being placed in the rented dumpsters.

* Councilperson Saunders discussed events of the Parks & Recreation Advisory Board meeting held on January 17, 2019. Discussion was held on the possibility of sponsoring male and female basketball tournaments, 3K or 5K races as well as other events. The possibility of Belomar helping with grants. Discussion was held on holding private events on city property with the sale of alcohol. Providing names for the road to the baseball and softballs fields was discussed. There was a report of run off water from the Northern Regional Jail into the Softball Equipment shed.

Discussion & Approval of Appointment To the Zoning Appeals Board. (Council's Appointment)

City Manager Healy received a request from Charles Rush asking to be appointed to the Moundsville Zoning Appeals Board. Councilperson Saunders made a motion to appoint Mr. Rush, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion & Approval of Ordinance Reducing Planning Commission Members. (First Reading)

Attorney White read the following ordinance by title only to be passed by council on first reading:

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,
WEST VIRGINIA, REDUCING THE NUMBER OF MEMBERS ON THE
CITY PLANNING COMMISSION. (FIRST READING)**

Councilperson Haynes made a motion to approve the planning commission ordinance. With no second being made, motion died for lack of a second.

Discussion and Approval a Recommendation by the Moundsville Planning Commission for a Zone Change at the corner of Walnut Avenue and Fostoria Avenue from “M” Mixed Use to “R-C” Recreation Conservation.

Councilperson DeWitt made a motion to approve the recommendation by the Moundsville Planning Commission, seconded by Vice Mayor D. Wood for discussion.

Councilperson DeWitt commented on Mr. Oakland’s discussion of a “precedence” being set. She feels that council already set a precedence when they voted to allow their own campground to be built at the Riverfront Park contrary to the opposition from neighboring residents.

Councilperson Saunders feels that council needs to take into consideration the residents that live in that area. He said he is neutral on the request and asked Mr. Wilson if there will be some sort of lighting in that area? Mr. Wilson affirmed lighting as well as a fully secured self contained area.

Vice Mayor Wood recalled council approving other campgrounds regardless of citizens pleas of opposition.

Councilperson Haynes noted in the paper work provided to council from the Planning Commissions Attorney Peter Kurelac it reads, “the proposed change would not be consistent with the Comprehensive Plan. Council previously voted not the allow the campground and hopes they will consider not approving it again.

Councilperson S. Wood agrees with the gentleman who complained of the port a johns that are stored on the MVFD property, however, if there is a decorative fence around the property, the campground would not be as visible. She also commented on the possibility of something similar to the neighboring “lay down” yard being placed on the property.

Vice Mayor Wood asked Attorney White for his opinion on the paper work provided by the Planning Commission Attorney Peter Kurelac which also states, “However, he Commission noted that there has been a major change of both an

economic and social nature regarding the subject property, which supports the proposed zoning change herein”. Attorney White noted Attorney Kurelac, since the request is not consistent with the Comprehensive Plan, had to make a finding, and state the finding, which states so in the WV State Code. It doesn’t follow the Comprehensive Plan because it is not the zone type that was envisioned there, however, there have been enough changes in that area that it should be allowed.

Councilperson Hunt said she wasn’t on council when the other campgrounds were voted upon, however, she on council when the city approved their own campground. Her decision tonight will be based on what she feels is best for the community.

Mayor Remke called for a voice on the motion and second to approve the recommendation by the Planning Commission. City Clerk Hewitt announced the following tally. 5 yeas, 2 nays. Haynes and Hunt voting nay. Motion carried.

Vice Mayor Wood made a motion to direct the city attorney to draft a zone change ordinance, seconded by Councilperson DeWitt.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 4 yeas, 3 nays. Haynes, Hunt and Saunders voting nay. Motion carried.

MANAGER ITEMS:

City Manager Healy provided the following report to council:

- * I received the report from M & G concerning the damage at the Police Department building. (Refer to letter from M&G.)
- * Recycling Grant application has not been placed on-line yet. Since a design has to be in place for the application, I would recommend Committee Chair DeWitt and I get together to schedule a meeting sometime soon.
- * A situation was brought to my attention on Court Avenue southbound into the MMS parking lot. Mrs. Strong, who just built a new house on the corner of Court and Second Street has had vehicles regularly driving onto her property and damaging drain pipes due to cars using this as an exit because of the closure of the access road east of the stadium and the construction on Route 2. I spoke with

Assistant Superintendent Corey Murphy, who apologized for the inconvenience, but assured me that the Board is aware of the problem. Mike Price, Facilities Director for the School Board is doing a site inspection this week, and hopes to have a solution soon. After all is complete, we will install new one-way street signs on Court, and begin training people to exit the proper way.

* An opening still exists on the Moundsville Building Commission.

* E-Mail addresses using the @cityofmoundsville.com have been set up for all Council people. Each councilperson will be receiving an e-mail soon with instructions on setting these up.

* I have been meeting with Kay Goddard every Friday to discuss the Budget. I would suggest a budget workshop be scheduled on Tuesday, February 19, prior to Council, starting at 5:00.

* The paving list has been completed after receiving all of Council's requests. I will be meeting with Superintendent Stocklask to view these streets and create a priority list.

* I have sent in booth reservations for the MC Chamber of Commerce Home and Business Expo. City Council and the Manager will have one booth and City Fire and Police Department will share another.

* The City sponsored a Business After Hours last Thursday at the new Sanitation Building. It was very well attended, with over 80 people enjoying the evening. I look forward to hosting more events like this in the future, but would love to have entire council in attendance. My thanks to all the Department Heads for attending and to all employees who attended. Special thanks to Frank and his crew for having the building ready and taking care of the tables and chairs.

* I, along with council attended the WV Municipal League Conference on January 27-28 in Charleston. The most common phrase we heard there was Home Rule. The League encouraged all present to let their legislators know how Home Rule has been beneficial to them, and ask them to make a commitment to pass Senate Bill 4, which makes the program permanent. That bill has passed the Senate and has moved to the House of Delegates. Obviously, Home Rule has been beneficial to Moundsville. I expressed that to our two delegates Lisa Zukoff and Joe Canestraro and they pledged their support.

MAYOR ITEMS:

* Mayor Remke attended the Water Board meeting where the board discussed the Fourth Street and First Street water line replacement projects.

* Mayor Remke attended the WVML Conference along with fellow council members speaking with delegates concerning Home Rule issues.

* Mayor Remke attended the Business After Hours held on Thursday, January 31 at the new Sanitation Building sponsored by the City of Moundsville. He thanked the City of Moundsville, the employees, Harvey Goodman and all the businesses that attended.

* Mayor Remke made a motion to discuss at the Policy Committee meeting to create a charter change on the ballot for election of Mayor with a four year term, seconded by Vice Mayor Wood for discussion. Motion carried unanimously.

* Mayor Remke made a motion to discuss at the Policy Committee meeting the possibility of by passing the Land & Water Conservation Regulations concerning the East End Ballfield property. Manager Healy expressed his thoughts, as City Manager, not to pursue this unless there was a specific plan. Mayor Remke then decided to table this matter until he can obtain more information.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee.

Finance committee will meet on Tuesday, February 12, 2019 at 5:00 p.m.

Discussion of Recommendations by the Traffic Committee.

Traffic committee will follow the finance meeting.

Discussion of Recommendations by the Policy Committee.

Policy committee will follow the traffic meeting.

COUNCIL ITEMS:

* **Hunt** - Reported a dumpster setting in the front yard of 213 Sandy Avenue for several weeks. Neighbors are complaining.

* **DeWitt** - Concerning the question of alcohol on city property, she feels that alcohol should not be permitted on city property such as playgrounds and during kids baseball and softball games.

* Clarified that recommendations from the Sanitation committee will be brought before council for approval. She was advised they would.

* Suggested when the MVFD constructs the fencing for the campground, to angle the fence at Fostoria Avenue and Walnut Avenue for the clear site triangle.

Councilperson DeWitt made a motion to go into Executive Session for personnel matters, seconded by Vice Mayor Wood. Motion carried unanimously.

Meeting recessed at 8:44 p.m.

Meeting reconvened at 8:50 p.m.

Executive Session began at 8:50 p.m.

Executive Session recessed at 9:07 p.m.

Regular Session reconvened at 9:07 p.m.

Councilperson Saunders made a motion to adjourn, seconded by Councilperson S. Wood. Motion carried unanimously.

Meeting adjourned at 9:08 p.m.

Sondra J. Hewitt, City Clerk

Philip Remke, Mayor