

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF
MOUNDSVILLE, FEBRUARY 19, 2019**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on February 19, 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, Street Laborer Farley, Fire Chief Brandon, Building Inspector Wilson, CPA Goddard and Attorney White. Absent: Public Works Director Stocklask.

MINUTES:

Regular Council Meeting of February 5, 2019.

Councilperson DeWitt made a motion to accept and approve the minutes of the regular council meeting of February 5, 2019, seconded by Councilperson Haynes. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Sheri Henry, 11 Cherokee Drive, announced she was interested in placing “Blessing Boxes” and “Free Little Library” Boxes at Burley Court on Dorsey Street with permission by the Moundsville Housing Authority. She was asking for council’s blessings to do the same and possibly placing them in different areas of town.

* Carl Boso, 305 10th Street, asked council to consider extending the Moundsville Marina lease from 1 year to 5 years.

* Richard Wilson, 515 Jefferson Avenue, spoke to council on behalf of the Moundsville Volunteer Fire Department, concerning the zone change ordinance on the agenda for first reading.

* Bev Reed, 98 5th Street, Bridgeport OH, invited council to attend a meeting at the

Moundsville Library on February 26, 2019 at 6:00 p.m. concerning the proposed cracker plant. She noted that she had visited several residents near the river who said they were very concerned about living along the river when the plant gets built.

* Denny Kidd, 1215 Second Street, introduced himself as being a member of the Moundsville Planning Commission and was in favor of the MVFD building a temporary campground on their property.

OLD BUSINESS:

Other Items to be Discussed by Council.

* Councilperson DeWitt wanted to clarify that out of eight campgrounds in the city that six of which are established in residential areas.

* Councilperson DeWitt made a motion to discuss at the next finance meeting the possibility of building a playground on the city's property at Ruby Street & Garfield Street, seconded by Vice Mayor D. Wood. Motion carried unanimously.

* Councilperson DeWitt said she has concerns for the people who reside in the houseboats along the river in case there should be some sort of emergency stemming from the cracker plant.

* Councilperson Saunders asked City Manager Healy if he was looking into the water runoff problem on Jason Drive? Manager Healy said he spoke with City Engineer Tush and Stormwater Superintendent Bonar but feels there is a much more extensive problem than the city can correct. However, there will be work done before paving such as catch basin and drains. Right now the water running off the hill is the largest problem which originates out of city limits.

* Councilperson Saunders asked if Mr. Gump has complied with obtaining a city business license? City Clerk Hewitt said she will be sending him a summons to come to municipal court.

* Councilperson Hunt asked for the status of 55 Highland Avenue. City Manager Healy reported the owner of the property attended municipal court, where the judge gave him 2 weeks to remove the vehicles and debris from his property and away

from his neighbors fence.

* Councilperson Hunt also asked about 52 Locust Avenue. Manager Healy will check on that property Wednesday.

* Councilperson S. Wood made a motion to discuss at the policy committee meeting establishing goals for 2019-2020, seconded by Councilperson DeWitt. Motion carried unanimously.

NEW BUSINESS:

Discussion and Approval an Ordinance for a Zone Change at the corner of Walnut Avenue and Fostoria Avenue from “M” Mixed Use to “R-C” Recreation Conservation. (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, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA AT FOSTORIA AND WALNUT AVENUES IN THE CITY OF MOUNDSVILLE FROM A MIXED USE ZONE TO A RECREATION-CONSERVATION ZONE. (FIRST READING)

Vice Mayor D. Wood made a motion to approve the zone change, seconded by Councilperson DeWitt for discussion.

Councilperson DeWitt asked Attorney White once the MVFD is done as a temporary RV Park and MVFD continues to move on with building a community center, the property will revert back to “Mixed Use”. Attorney White noted this zone change will not be a temporary zone change. The MVFD would have to take steps to make that property “Mixed Use”. This zone change will be a permanent change. However, the property will change from a “Mixed Use” to a “Recreation Conservation” zone. RV Parks are considered “Conditional Use” in that zone which means the MVFD will have to apply to the Moundsville Zoning Appeals Board. The Zoning Appeals Board will set conditions on those.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following

tally. 5 yeas, 2 nay. Haynes and Hunt voting nay. Motion carried.

Discussion and Approval of a Resolution Concerning the City of Moundsville Liability Coverage Renewal.

City Manager Healy reported the city's liability insurance renewal is due with current carrier One Beacon in the amount of \$149,091.40 for General Liability and Professional Liability coverage of \$5,000,000, which is approximately a 7% above last years premium. One Beacon will provide additional umbrella coverage for \$12,125.00. Zurick Insurance, provided a premium quote of \$128,160.67 for General Liability and Professional Liability coverage of \$3,000,000. Brent Burton, Commercial Insurance Broker, spoke with One Beacon, who presented a lower quote of \$132,703.46.

Councilperson DeWitt made a motion to renew the city's liability insurance with One Beacon at a premium cost of \$132,703.46 with no umbrella, seconded by Councilperson Saunders. Motion carried unanimously.

Re-Appointment to Moundsville Sanitary Board. (Council's Appointment)

Manager Healy received a letter from William McConnell asking to be reappointed to the Moundsville Sanitary Board. He also received letters from the Moundsville Sanitary Board asking the same.

Councilperson DeWitt made a motion to reappoint William McConnell to the Moundsville Sanitary Board, seconded by Councilperson Saunders. Motion carried unanimously.

Other Items to be Discussed by Council.

* Vice Mayor D. Wood reported visiting 1215 Second Street to look at a water problem the resident has been having during heavy rains. Water accumulates in the back yard with nowhere to go. Another problem reported was the asphalt at the curb is blocking the flow of water from the down spouts. City Manager Healy said he spoke to the property owner at length and feels the city has to determine whether or not this is a civil matter, however, he feels the problem with the run off at the curb is an engineering issue. He will continue to look into the matter.

* Councilperson Haynes reported the sidewalk sinking at 31 Elm Avenue and trees need trimmed. He asked Manager Healy to look into the complaint.

* Councilperson S. Wood announced the Marshall County Family Resource Network will be holding their annual Food Drive collecting can goods throughout the area and hoped the city would participate as they have the last three years. City Manager Healy will notify department heads asking for their support.

* Councilperson S. Wood made a motion to discuss at the policy meeting detailed job descriptions for employees, seconded by Councilperson DeWitt. Motion carried unanimously.

* Councilperson Hunt commended City Manager Healy for his idea, during the budget meeting, to hire a pool manager at Four Season pool to take the burden from the Parks & Recreation Director. Manager Healy plans to move an employee to that position, hire a director and a part time person to take the place of the employee that was moved into the pool manager position.

* Councilperson Saunders asked how many applications were received for Parks & Recreation Director? Manager Healy said he has received a few and hopes to receive more by the due date of Friday, February 22, 2019.

* Councilperson Saunders mentioned meeting the City Manager Healy and Denny Hall concerning Mr. Hall's complaints of raw sewage coming from the Regional Jail running onto the girls softball field.

MANAGER ITEMS:

Re-Appointment to the Moundsville Planning Commission. (Manager's Appointment)

City Manager Healy announced he was reappointing John Icard to the Moundsville Planning Commission for another three year term.

Appointment to the Moundsville Historic Landmark's Commission. (Manager's Appointment)

City Manager Healy announced he was appointing Carole Wood of Arlington Avenue to the Moundsville Historic Landmarks Commission for a two year term.

City Manager's Report:

City Manager Healy provided council with the following managers' report:

1. I was contacted directly by AEP concerning their latest results from monitoring of groundwater at and near Mitchell Plant's ash ponds and ground water. I was asked to relay this to Council. This information will be released on AEP's website on Friday, 2/22. Information related to the coal ash storage sites at Mitchell Plant will be publicly posted on AEP's website on Friday, Feb. 22. This posting provides updated information on our groundwater monitoring activities. In 2017, AEP provided information about initial monitoring activities to establish baseline levels for a variety of substances in the groundwater before and after it passes beneath our coal ash storage sites. AEP has continued those monitoring activities in 2018. Analysis of 2018 data indicates that the bottom ash pond and landfill are not causing levels of any of these substances to rise above EPA standards. They will continue to monitor the groundwater at the plant and will take any additional action indicated by these samples. They are following up with the plant neighbors they talked with last year to provide this updated information. AEP is committed to being a good neighbor and will keep the public informed of the results from the additional testing and next steps based upon what we learn. If any council members have a question, feel free to contact them. (I have contact information.)
2. An opening still exists on the Moundsville Building Commission.
3. Many people have asked why there was not a similar signal placed on the east side of the intersection allowing traffic to turn southbound?
 - a. The turning movement counts (heading SB on WV 2 from 12th St.) were not nearly as high as those turning NB from the bridge, and adding in an opposing arrow would build delay into the intersection. This would reduce the ability to clear out the bridge traffic by making the other lane, the straight through and right turns (from the bridge) wait additional time, which in turn delays the mainline WV 2 traffic.
4. The lighting at the intersection of Route 2 and the extension (Route 250) has still not been installed. This area is very dark, with an awkward turn, and I (and council) fear a bad accident may occur there. Jay Wallace told me over a month ago

that there were two lights in the plan, but couldn't get the contractors to move from the current project area to install them. Additionally, markings (at least lines), would be very helpful when making that turn onto the extension from southbound traffic.

a. Our contractor on the upper McDonald's Plaza project has submitted construction schedules that were approved before any physical construction was started. I believe asking them to revise their schedules and do work out of sequence will cost the DOH additional funding that really isn't available, or may cause another project to get pulled, but we can look into this. I can check with our Construction Department to see if there is a temporary striping option in the contract, and see if they would do some of that work, weather permitting. Although, this time of year, it is tough to get paint to adhere to the roadway with cold temperatures and damp pavement.

5. The area in front of the Busy Beaver plaza (bridge) is loaded with holes. Jay said it was the contractor's responsibility to keep these filled, but that is not happening. I'm getting complaints daily on this. Lane markings in this area would be helpful as well.

a. We are getting overloaded with similar complaints. We have actually had our Marshall County maintenance crews doing some patching even in the construction zone, but I'll follow up with Construction and see if they can get the contractor moving. Same situation as above with lane markings.

6. Checked with MC Schools on the problem on Court Avenue. No Updates as per Michael Price, as of today. Waiting on an update from DOH for Route 2, and bad weather.

7. Received a "Thank you" card from Susan Stipetitch and Loretta Francis concerning the City of Moundsville demolishing the property at 120 Poplar Avenue and the kindness of Building Inspector Joe Richmond.

Councilperson DeWitt made a motion to receive and file the thank you note, seconded by Councilperson Haynes. Motion carried unanimously.

* City Manager Healy asked council for an Executive Session after the regular council meeting to discuss personnel. Motion was made by Councilperson Saunders and seconded by Councilperson DeWitt. Motion carried unanimously.

MAYOR ITEMS:

* Mayor Remke asked Manager Healy to contact DOH to patch the intersection at First Street & Jefferson Avenue.

*Mayor Remke reported attending the Water Board meeting where they discussed the First Street and Fourth Street replacement water line projects.

* Mayor Remke announced a Cracker Plant Symposium at Wheeling Island Hotel on February 28, 2019 at 9:00 a.m.

* Mayor Remke announced a Strategic Planning meeting on February 26, 2019 at 5:15 p.m. following the Special Council meeting at 5:00 p.m.

COMMITTEE ITEMS:

Discussion of Recommendations by the Finance Committee.

1. Discussion of Placing ATM Machine at City Building. Committee recommends installing ATM Machine at the Moundsville City Building provided by CMS Bank Card Services with no charge to the customer by the city. (However, there will be a \$2.00 charge by CMS Bank Card Services to the customer)

Councilperson Hunt made a motion to authorize the City Manager to install an ATM Machine at the Moundsville City Building, seconded by Councilperson Haynes. Motion carried unanimously.

2. Discussion of Possibility of Contracting With another Company for Parking Meters. Committee recommends purchasing 56 new meters from POM at a cost of approximately \$30,000.00.

Councilperson DeWitt made a motion to purchase 56 new meters from POM at a cost of approximately \$30,000.00 for discussion.

Councilperson S. Wood asked Manager Healy if the meters in question were “smart meters”, coin or card operated? Mr. Healy reported the cost per meter is less for the coin meter, however, one smart meter, which takes both coin and credit card, is accessible on both the left and right sides of the meter, so you would have less meters. Each smart meter will cost \$5.00 per month to be downloaded into the system and \$1500.00 addition every year to host the meters. Meters can be repaired and maintained locally. And, there is no user fee applied to the customer.

Manager Healy recommended purchasing 16 smart meters for 32 spaces in the north city lot beside Ruttenburg’s to allow citizens to practice on them.

Mayor Remke called for a vote on the motion. Motion carried unanimously to purchase meters at an approximate cost of \$30,000.00.

3. Discussion Concerning City Sponsorship of Mayor & Manager’s Choice for Jefferson Avenue Car Show June 7, 2019. Committee recommends sponsoring \$30 for Mayor’s Choice and \$30 for Manager’s Choice for the Annual June 7, 2019 Car Show.

Councilperson Hunt made a motion to sponsor a Mayor's Choice and Manager's Choice of \$30 each for the annual car show, seconded by Councilperson DeWitt. Motion carried unanimously.

4. Discussion of Financing Two (2) Sanitation Trucks. Committee recommends not paying off the two (2) existing loans, using \$96,668.37 from the Unrestricted Landfill Account, \$98,102.63 from the CD to pay for one truck in the amount of \$194,771.00 and financing the full amount of the second truck of \$199,771.00. Councilperson Hunt made a motion to pay \$96,668.37 from the unrestricted landfill account, \$98,102.63 from the CD to pay for one truck in the amount of \$194,771.00 and financing the full amount for the second truck in the amount of \$199,771.00, seconded by Councilperson Saunders. Motion carried unanimously.

B. Discussion of Recommendations by the Policy Committee.

1. Discussion of Changing Current City Logo. Committee recommends for council to decide whether or not to change the current city logo.

Mayor Remke made a motion to change the city logo, seconded by Councilperson S. Wood for discussion.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 4 yeas, 3 nays. Haynes, Saunders and D. Wood voting nay. Motion carried. Councilperson DeWitt made a motion keep the current logo but change the wording by adding "Unlocking the Future", seconded by Vice Mayor D. Wood.

Mayor Remke called for voice vote. City Clerk Hewitt announced the following tally. 1 yea, 6 nays. DeWitt voting yea. Motion failed.

Councilperson Haynes made a motion to table further discussion of a new logo for the City of Moundsville, seconded by Councilperson Saunders.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 6 yeas, 1 nay. Mayor Remke voting nay. Motion carried.

2. Discussion of 759.01 Public Safety Fee Ordinance Charges for Vehicles.

Committee recommends directing City Attorney draft an ordinance charging RV Campers a Public Safety Fee.

Vice Mayor D. Wood made a motion to direct Attorney White to draft an ordinance to charge RV Campers a Public Safety Fee, seconded by Councilperson Hunt.

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

Mayor Remke made a motion to discuss the specifics of drafting a public safety fee ordinance for RV campers, seconded by Councilperson S. Wood.

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

3. Discussion of Lease Renewal for Moundsville Marina. Committee recommends increasing the rental amount from \$500 to \$700 and renew every year.

Vice Mayor D. Wood made a motion to increase the rental amount to \$700, seconded by Councilperson DeWitt. Councilperson Haynes asked to amend the original motion to increase the renewal period from one year to five years, seconded by Councilperson Saunders.

Mayor Remke called for a voice vote on the amendment. 2 yeas, 5 nays. Haynes and Saunders voting yea. Motion failed.

Mayor Remke called for a voice vote on the original motion. 6 yeas, 1 nay. Haynes voting nay. Motion carried.

4. Discussion of Use of Alcohol on City Property. Committee recommends City Attorney draft an ordinance to permit alcohol at events and functions on city property by permit only signed by City Manager and permit employees to consume alcohol on city property on their own time. However, no alcohol will be permitted during children's events or ball games.

Vice Mayor D. Wood made a motion to direct the City Attorney draft an ordinance concerning alcohol on city property, seconded by Councilperson DeWitt.

City Manager Healy noted current liability policy for city to host an event and not sell alcohol, such as "Business After Hours" or a small party, the city is covered.

If the city chooses to sponsor an event that sells alcohol, we would need to purchase a "special event" policy from our liability carrier that could range from \$500 to \$1500. And a recommendation of "Liquor Liability" policy in the range of \$1000 to \$2000. If somebody else should host or sponsor an event on city property, the city should require them to provide liability insurance coverage to us and require that we are listed as an additional insured. City Manager Healy also recommended signage erected on city property "No Alcohol" permitted without city issued permit. Councilperson Haynes suggested anybody requesting a permit should have to employ a police officer.

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

COUNCIL ITEMS:

* **S. Wood** - Nothing at this time.

* **Hunt** - Nothing at this time.

* **Saunders** - Nothing at this time.

* **Haynes** - Nothing at this time.

* **DeWitt** - Commented on the condition of Rt. 2 has increased traffic from 12th Street onto Jefferson Avenue.

* Announced that Marshall County Schools were going to strike again on Wednesday, schools will be closed.

* **D. Wood** - Asked for an update on the Home Expo. Manager Healy pointed out a brochure he prepared to hand out at the expo. Tables have been paid for and a pool pass was donated as a door prize.

Councilperson Haynes made a motion to recess before the executive session, seconded by Councilperson DeWitt. Motion carried unanimously.

Regular session recessed at 9:12 p.m.

Executive session began at 9:15 p.m.

Executive session recessed at 9:26 p.m.

Regular session reconvened at 9:26 p.m.

Councilperson Hunt made motion to direct Attorney White to draft an ordinance to increase the salary of Heath Logsdon to \$11.00 per hour due to his responsibilities increasing, seconded by Councilperson Saunders. Motion carried unanimously.

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

Meeting adjourned at 9:28 p.m.

Sondra J. Hewitt, City Clerk

Phil Remke, Mayor