

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**  
2 **FEBRUARY 21, 2017**

3  
4 The Council of the City of Moundsville met in regular session in the Council Chambers  
5 on February 21, 2017 at 7:00 pm.

6  
7 Meeting was called to order by Mayor Eugene Saunders.

8  
9 Invocation was given by Councilman Allen Hendershot, who also asked for a moment of  
10 silence to honor the memory of former Councilman Paul “Dude” Haynes.

11  
12 Acting City Clerk Ankrom called the roll and the following Councilpersons were in  
13 attendance: Saunders, DeWitt, Hendershot, Hunt, Remke, and Vice Mayor Wood.  
14 Absent was Councilman Haynes. Also present were City Manager Hess, Police  
15 Sergeant Earnest, Fire Chief Clarke, Public Works Director Stocklask, Building  
16 Inspector Richmond, CPA Kathryn Goddard, and Attorney Thomas White. Absent was  
17 City Clerk Hewitt (training).

18  
19 **MINUTES:**

20 **Regular Council Meeting of February 7, 2017**

21 Councilwoman DeWitt made a motion to accept the February 7, 2017 minutes, which  
22 was seconded by Councilwoman Hunt.

23  
24 Councilman Remke pointed out that he was in attendance at the February 7, but his  
25 name is not listed as such.

26  
27 Vice Mayor Wood noted that, on page 3 lines 32 and 33, his point was “if” pay increases  
28 are discussed, those figures should be included in the 2017-2018 Budget.

29  
30 Motion to accept the corrected minutes carried unanimously.

31  
32 **GENERAL PUBLIC HEARING:**

33 Derek Turkezer, owner of Avenue Pizza and Computer E R Center on Jefferson Avenue,  
34 expressed displeasure about the Uptown Moundsville Activities Committee's decision to  
35 trim the trees on Jefferson Avenue, rather than cut them down. He was not consulted on  
36 this decision; and he does not feel that UMAC is encouraging to all of the business  
37 owners on Jefferson Avenue. Mr. Turkezer asked, several months ago, about getting a  
38 security system, as he is concern about the safety of children who frequent Jefferson  
39 Avenue, in addition to the businesses. Mr. Turkezer would like to expand his business  
40 enterprises, but he cannot afford the prices being asked for properties that are falling  
41 apart. He currently employees 18 individuals, who also have trouble finding adequate,  
42 affordable housing in the City. Mr. Turkezer wants to be involved in the community and

1 help Moundsville grow; he believes all opinions are important, and citizens and business  
2 leaders need to work together.

3  
4 Discussion was held on the fact that UMAC involvement is voluntary; and City Council  
5 has no authority over their decisions. The UMAC leadership volunteered to assist  
6 financially with trimming the trees, which actually belong to the City and not individual  
7 business owners.

8  
9 **Presentation to “If I were Mayor” Moundsville Middle School Students MacKenzie  
10 Neely & Savanna Davis**

11 Mayor Saunders recognized Savanna Davis, who read her “If I were Mayor...” essay;  
12 MacKenzie Neely was not in attendance. It was noted that Moundsville has had at least  
13 one winner in each of the last four years of this essay contest. All essays were on  
14 display at the recent WV Municipal League Conference.

15  
16 **Chris Kessler, Marshall County Assessors Office**

17 Mr. Kessler was not available this evening, but will have more information for the  
18 March 7, 2017 meeting.

19  
20 **OLD BUSINESS:**

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

22 \* Vice Mayor Wood asked how the process was going, in collecting delinquent fees.  
23 Manager Hess confirmed that Revenue Collector Maine is moving along with the suit  
24 process, and one hearing will soon be scheduled through Municipal Court. The Home  
25 Rule Ordinance does include the option to publicize names of delinquent payers.

26  
27 \* Vice Mayor Wood asked about progress on issues with the Recreation Department.  
28 Manager Hess met with the Parks & Recreation Board Thursday evening, and several  
29 people are working on different aspects of improvement. Councilman Hendershot will  
30 be meeting tomorrow with a mechanical engineer to discuss issues. Manager Hess was  
31 encouraged to develop a written strategic plan to identify the concerns; evaluate the  
32 facilities, finances, programs, and personnel of the entire Recreation Department; as well  
33 as identify possible revenue sources. Conducting a meeting just once per month will not  
34 accomplish these tasks in a timely manner.

35  
36 \* Councilman Remke has received complaints about Four Seasons Pool lifeguard attire;  
37 as well as cell phones still being used at poolside, when the lifeguards should be  
38 watching swimmers. It was also noted that pool checks are no longer being conducted  
39 on a regular basis. Councilman Hendershot doesn't feel that City Council should be  
40 micro-managing Pool employees; those problems, with corresponding solutions, should  
41 be addressed in Manager Hess' report.

42

1 \* Councilman Remke also broached discussion on the Sam Shaw Walking Trail and  
2 continuing problems with creek flooding, which has resulted in the current closing of the  
3 Trail. The City is not permitted to do work in the creek itself; and Director Stocklask  
4 informed that the ground is still too soft and wet to handle the large equipment needed to  
5 clean up. Councilman Remke then pointed out that the Street Department should not be  
6 pulling resources from their duties, and budget, in order to perform work the Recreation  
7 staff should be doing. There are two Recreation employees available to do this type of  
8 work, but minimal equipment. Discussion was held on the contracting of seasonal grass  
9 cutting, which is at the Parks & Recreation Board's discretion, as they work with the  
10 budget they're given by City Council.

11  
12 Mayor Saunders left the meeting at 7:45 PM for a previous engagement.

13  
14 \* Councilman Remke asked about the paving priority list. Manager Hess and Director  
15 Stocklask have not completed that yet.

16  
17 \* Councilman Remke made a motion, to take back to the March Finance Committee,  
18 discussion on the Vacant Building report. Motion was seconded by Councilman  
19 Hendershot and carried unanimously.

20  
21 \* Councilman Remke made a motion to further discuss, at the March Policy Committee,  
22 parking passes and/or meters, for spots around the Marshall County Courthouse. Motion  
23 died for the lack of a second.

24  
25 \* Councilman Remke still needs to have identified the City property line on Short Poplar  
26 Avenue, at AAA Trailer Park, where water comes off the creek into a resident's yard.  
27 Manager Hess will get in touch with the City Engineer.

28  
29 \* Councilman Remke asked about previous discussion on towing companies paying  
30 Business & Occupation Taxes to the City of Moundsville. Attorney White explained  
31 the State of West Virginia repealed their B&O Code. However, WV State Tax  
32 Department rules and regulations prohibit two or more municipalities from taxing the  
33 same gross proceeds. If a towing company is registered in one municipality and paying  
34 B&O Tax to that entity, the City of Moundsville cannot tax those same funds.  
35 Contractors, on the other hand, have different regulations. City Clerk Hewitt may have  
36 explained these regulations in the past. Tracking down where these types of businesses  
37 are registered could be a time-consuming process.

38  
39 \* Councilman Hendershot informed that he did not second Councilman Remke's motion  
40 on the parking meters/passes because of the upcoming discussion from the Traffic  
41 Committee.

42

1 **NEW BUSINESS:**

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

3 \* Councilman Remke expressed concern about financing the clean up at the Sam Shaw  
4 Walking Trail, as well as other Recreation Department needs.

5  
6 \* Councilman Remke asked about Assessor Kessler's absence; Manager Hess explained  
7 that Assessor Kessler felt he would have more accurate numbers available for the March  
8 7, 2017 Council meeting. This would still allow time to make budget revisions, before  
9 submitting the 2017-2018 Budget to the State.

10  
11 \* Councilman Remke would like to see more recent, detailed numbers on delinquent  
12 fees and collections. The City is able to attach WV State Tax refunds for some  
13 collections.

14  
15 \* Councilman Remke would like to discuss, at the March Policy Committee, moving  
16 subcommittee meetings to the fourth Tuesday of the month. Councilman Hendershot  
17 seconded the motion, which carried unanimously.

18  
19 \* Councilwoman DeWitt shared information, from the WV Municipal League  
20 Conference, on the Municipal Sales & Services & Use Tax collections, which did not  
21 include the 5% Tax Department fees. The State is still working on a couple of issues,  
22 including delays in getting remittances sent to municipalities. Councilwomen DeWitt  
23 and Hunt expressed concern to Delegate Ferro about cities' dependence on the timely  
24 disbursement of these funds.

25  
26 \* Councilman Remke wants to see reports showing the ages of delinquent fees and what  
27 relief might be available through the Home Rule Ordinance. Manager Hess will see  
28 what information can be obtained from Revenue Collector Maine. Councilman  
29 Hendershot recommends giving the new collection process more time, to see how  
30 effective it will be. Councilman Remke made a motion to discuss this further at the  
31 March Finance Committee, which Councilman Hendershot seconded. Motion carried  
32 unanimously.

33  
34 \* Councilwoman DeWitt commented on an amendment to WV State Code 8-12-16,  
35 defining dilapidated houses and the remedy process. Some county and city governments  
36 are working together on the auctions of these properties, so that cities are not losing out  
37 on lien costs. Attorney White noted there are three pieces of pending legislation relating  
38 to this issue, the most important of which provides for “redeeming” property. A  
39 municipality could purchase property for the amount due on delinquent taxes; the city  
40 would then own the property and could resell it.

41  
42 \* Vice Mayor Wood would like to discuss Council's goals at the March Policy

1 Committee meeting.

2  
3 \* Vice Mayor Wood is not available for the budget meeting tomorrow.

4  
5 \* Vice Mayor Wood expressed sorrow over the loss of Councilman Paul Haynes, in  
6 addition to the recent passing of former Mayors Electa Mulvanity and John Grisell.

7  
8 **MANAGER ITEMS:**

9 ☉ Manager Hess had nothing to discuss at this time.

10  
11 **COMMITTEE REPORTS:**

12 *Discussion of Recommendations by the Finance Committee*

13 1) Discussion of purchasing the parking lot beside the Moundsville Police  
14 Department building and upgrades to the building. Committee recommends no action  
15 be taken to purchase the parking lot; and Chief Mitchell is to move forward with  
16 obtaining estimates for repairs to the building.

17 2) Discussion of City sponsorship of Mayor's and Manager's Choice awards for the  
18 Jefferson Avenue Car Show in June 2017. Vice Mayor Wood presented the motion to  
19 sponsor the Mayor's and Manager's Choice awards at \$30.00 each. Motion was  
20 seconded by Councilman Hendershot and carried unanimously.

21 3) The January 2017 Financial Summaries were reviewed. Councilman Remke  
22 asked for Pool and Recreation expenditures and revenues be separated. The Committee  
23 also suggested a hiring freeze be implemented, when the spending freeze goes into  
24 effect. Councilwoman Hunt asked for a comparison on the profits and losses for January  
25 2015, 2014, and 2013.

26 4) CPA Goddard reviewed an analysis on the 1% sales tax.

27 5) Discussion of funding, but no action taken, for the Moundsville Marshall County  
28 Public Library.

29 6) Discussion of City funding for a volunteer Committee members banquet, with the  
30 recommendation for Manager Hess to move forward with scheduling a public event.

31 7) Discussion of donation to the Marshall County Chamber of Commerce for the  
32 Business Expo. Two tables have been reserved, and no additional funds have been  
33 asked for by the Chamber.

34 8) Discussion of donation request from All Saints Catholic School. Councilman  
35 Remke made a motion to donate \$100.00 to All Saints Catholic School. Motion was  
36 seconded by Councilwoman DeWitt and carried unanimously.

37  
38 Mayor Saunders returned to the meeting at this point.

39  
40 *Discussion of Recommendations by the Policy Committee*

41 1) Discussion of tree maintenance on Jefferson Avenue, between 2<sup>nd</sup> and 5<sup>th</sup> Streets.  
42 Councilwoman DeWitt made the motion giving UMAC, and the Moundsville Economic

1 Development Council, permission to have the trees trimmed. Motion was seconded by  
2 Councilman Hendershot. Councilman Remke expressed concern about this project  
3 moving forward with stability and uniformity. There is no guarantee that either UMAC,  
4 or the City of Moundsville, will have the funds to continue this project in the future.  
5 Nine trees will be removed and replaced by a reputable firm. Motion carried  
6 unanimously.

7 2) Discussion of ambulance service. The Marshall County Commission will make a  
8 decision in April, and recommends City Council take no action at this time.

9

10 ***Discussion of Recommendations by the Traffic Committee***

11 1) Discussion of 15 Minute Parking Sign on 6<sup>th</sup> Street, between Morton and  
12 Tomlinson Avenues. A Work Order has been prepared for removal of the sign.

13 2) Manager Hess received the email with information about refurbished meters.

14 3) Discussion of parking on 6<sup>th</sup> Street, between Tomlinson and Court Avenues.  
15 Manager Hess will meet with the Marshall County Commission to see if the employees  
16 are interested in purchasing parking passes.

17 4) Discussion on the north side traffic light at 3<sup>rd</sup> Street and Jefferson Avenue.  
18 Manager Hess was informed there is an underground problem, which may have been  
19 caused by a traffic mishap that occurred seven years ago; and it would be the City's  
20 responsibility to fix. Manager Hess will be getting more information. The City may be  
21 able to remove the Walk/Don't Walk signs at that intersection.

22 5) Discussion on the Walk/Don't Walk lights at 7<sup>th</sup> Street and Jefferson Avenue.  
23 Current settings cause opportunity for pedestrians and vehicles to be in the crosswalk  
24 simultaneously. Manager Hess will contact the WV Department of Highways to discuss  
25 this, which is also a problem at 3<sup>rd</sup> Street and Jefferson Avenue.

26

27 Attorney White presented legal ads to be received and filed:

28 Board of Zoning Appeals Public Hearing for 601 & 603 2<sup>nd</sup> Street

29 Amend Zoning Map & Ordinance

30 Councilman Remke made the motion to receive and file the legal ads. Motion was  
31 seconded by Councilwoman DeWitt and carried unanimously.

32

33 **MAYOR ITEMS:**

34 ☉ Mayor Saunders wants City Council to consider having some Council meetings  
35 inside Moundsville Middle School, John Marshall High School, and Central  
36 Elementary. Attorney White will need to review the Charter to see if there would be  
37 an issue; and it would be important to have the support of principals and teachers at  
38 each school. Vice Mayor Wood made a motion to discuss this at the March Policy  
39 Committee. Motion was seconded by Councilman Remke and carried unanimously.

40

41 **COUNCIL ITEMS:**

42 \* **Remke** – Nothing at this time.

1  
2 \* **Hunt** – Will forward information to Manager Hess about a balloon artist, which would  
3 be a good addition for Community Day.  
4 \* Explained that the financial information she wants to see, is already in the financial  
5 reports; CPA Goddard could just remove some information.  
6  
7 \* **Hendershot** – Thanked the Street Department for doing such a prompt and “Great  
8 Job!” filling potholes at Sandy Avenue and Cherokee Drive.  
9 \* Thanked Councilwoman Hunt for showing interest and attending the Parks &  
10 Recreation Board meeting.  
11 \* Asked for an update on the Sanitation buildings. Director Stocklask won't have any  
12 information until the end of March or early April.  
13 \* Asked for progress in moving the Police Department to the National Guard Armory,  
14 which already has a building large enough to house the fire trucks as well.  
15  
16 \* **Wood** – Nothing at this time.  
17  
18 \* **DeWitt** – Asked Director Stocklask to explain the cold patching process. There are no  
19 temperature restrictions; but the durapatcher should not run when the temperature is  
20 freezing or below. The cold patch will wash away and erode over time, especially when  
21 it loses tackiness.  
22 \* Broached discussion on clean up at the Armory building, which may contain mold.  
23 The National Guard could be relocating, to the Naval & Marine Reserve Center, by  
24 2018.  
25  
26 Councilwoman DeWitt made the motion to adjourn, which was seconded by  
27 Councilman Remke. Meeting adjourned at 8:35 PM.  
28  
29  
30

31 \_\_\_\_\_  
Karen L Ankrom, Acting City Clerk

\_\_\_\_\_  
Eugene Saunders, Mayor