

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

The Council of the City of Moundsville met in Regular Session in the Council Chambers on March 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, Fire Chief Brandon, Building Inspector Richmond, Parks & Recreation Foreman Heath Logsdon, CPA Goddard and Attorney White.

**MINUTES:**

**Regular Council Meeting of February 19, 2019.**

Councilperson DeWitt made a motion to accept and approve the minutes of the regular council meeting of February 19, 2019, seconded by Councilperson S. Wood.

Councilperson Hunt made a correction on page 12, line 23, 24 & 25, should say, “council directed Attorney White to draft an ordinance to increase hourly rate for Heath Logsdon” and Councilperson Haynes made a correction on page 11, line 6 should say, “Vice Mayor Wood, not Mayor Wood”. Motion carried unanimously as amended.

**Special Council Meeting of February 26, 2019.**

Councilperson DeWitt made a motion to accept and approve the minutes of the special council meeting of February 26, 2019, seconded by Councilperson Haynes. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

**Presentation from Jaytee Herron & Amy Tickerhoof of Wilson, Hughes and**

## **Tickerhoof of the 2017-2018 City of Moundsville Audit Compilation.**

Jaytee Herron and Amy Tickerhoof of Wilson, Hughes and Tickerhoof presented council with copies of the 2018-2019 Audit Compilation. Copies were also provided to CPA Goddard, Treasurer Ankrom, Water CPA Straub and Sanitary CPA Abraham.

Mayor Remke advised members of the audience if they were wishing to address council to rise after stating their name and address.

\* Dave Oakland, 701 11<sup>th</sup> Street and owner of 35 Fostoria Avenue, feels the campground tenants are getting a better garbage rate than residents; complained of out of state workers residing in WV more than 30 days; and opposed the campground being constructed at the Moundsville Volunteer Fire Department property. He noted the ordinance proposed by the MVFD does not specify a temporary use.

\* Denny Kidd, 1215 Second Street, feels Moundsville has a drug problem. He noted the Moundsville Planning Commission voted on a temporary zone change because that was how it was presented to them. Reported Second Street needing some attention. He and other neighbors yards are being flooded also their basements.

\* Arthur Oakland, 1320 Ninth Street, also present to represent Carmina Oakland, 29 Fostoria Avenue, thanked council members who voted against the zone change. He strongly opposed the construction of the campground in that neighborhood.

\* Carl Boso, 305 10<sup>th</sup> Street, hopes that city council imposes a fee on transient workers who are residing in the city. He was told the city received complaints that his boat dock was pulled loose and that residents were afraid it would tear up their boat docks. He said his boat docks are secured with iron posts into the river bed.

\* Rich Wilson, 515 Jefferson Avenue, representing the Moundsville Volunteer Fire Department, was available if council or citizens should have any questions for concerns.

## **OLD BUSINESS:**

**Discussion and Approval of an Ordinance for a Zone Change at the corner of Walnut Avenue and Fostoria Avenue from “M” Mixed Use to “R-C” Recreation Conservation. (Second Reading)**

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

**AN ORDINANCE 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. (SECOND READING)**

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

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.

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

\* Councilperson Haynes asked Manager Healy for an update of 31 Elm Avenue sidewalk complaint. Manager Healy reported a letter was sent to owner to have property corrected.

\* Councilperson DeWitt reported the Home Expo went great and was well represented by City Manager, Council, Police and Fire.

\* Councilperson Saunders asked for an update on Mr. Gump obtaining a City Business License. Manager Healy reported Mr. Gump was sent a summons for Municipal Court on March 21, 2019.

\* Councilperson Hunt said the neighbors by 55 Highland Avenue appreciated the efforts the city took to have the property cleaned up.

\* Councilperson Hunt asked if the Building Inspectors had an opportunity to look at complaints concerning 52 Locust Avenue. Manager Healy reported a 10 day action letter was sent certified mail to the property owner. The Building Inspector will

follow up after the 10 day period.

\* Councilperson Hunt extended her appreciation to City Manager Healy for making himself visible to the public at the Home Expo.

**NEW BUSINESS:**

**Discussion and Approval of an Ordinance Pertaining to Alcohol Consumption on City Property. (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 A PROCEDURE FOR PERMITTING ALCOHOL ON CITY PROPERTY BY OBTAINING A PERMIT FOR APPROVED EVENTS ON PREMISES OWNED OR CONTROLLED BY THE CITY OF MOUNDSVILLE. (FIRST READING)**

Councilperson S. Wood made a motion to approve the above ordinance, seconded by Councilperson Saunders for discussion.

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

**Discussion and Approval of Rate Quotes for the New Garbage Truck.**

City Manager Healy informed council that CPA Goddard provided him with bank quotes for the purchase of a garbage truck. It is his recommendation to utilize BB&T at an interest rate of 3.32% for 5 years and payments would be approximately \$3,528.00.

Councilperson Hunt made a motion to approve the recommendation from BB&T, seconded by Councilperson Saunders. Motion carried unanimously.

**Discussion and Approval of a Recommendation by the Moundville Planning Commission to approve a Zone Change at 1513 Third Street from R-1 “Residential Single Family to M “Mixed Use. (Former Berry’s Market)**

Councilperson Saunders made a motion to direct Attorney White to draft an ordinance for a zone change at 1513 Third Street, seconded by Councilperson DeWitt. Motion carried unanimously.

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

\* Councilperson S. Wood made a motion to discuss at the finance meeting distribution of the Municipal Sales Tax, seconded by Councilperson DeWitt. Motion carried unanimously.

\* Councilperson S. Wood announced a transportation meeting at the Family Resource Network office on April 4, 2019 at 10:00 a.m. to discuss the transportation needs in Marshall County.

\* Councilperson S. Wood encouraged council and the public to visit the Thunderbird Event Center, a new business located on Jefferson Avenue that provides entertainment by local musicians. The facility is a non smoking non alcohol center. They also have a Facebook page.

\* Councilperson Saunders made a motion to discuss at the policy meeting guidelines for boarding houses and rental property, seconded by Councilperson Haynes. Motion carried unanimously.

\* Vice Mayor D. Wood thanked everyone who attended the Home Expo and said the show was well attended.

\* Vice Mayor D. Wood asked for an update on Rt 2 project. He has been getting complaints of not being able to see highway striping on Rt.2. City Manager Healy reported speaking with District Engineer David Brabham who is aware of the problems on Rt. 2. Unfortunately, this time of year the paint will not stick to the road and the temporary lines won't adhere to the asphalt.

\* Vice Mayor D. Wood asked that Manager Healy continue to look into the drainage problem at Second Street. Manager Healy said the city engineer claims they milled down to the brick which was as far as they can go. Mr. Kidd reported the catch basin was put in Second Street six inches too high. Manager Healy will continue to work on this problem.

\* Councilperson DeWitt made a motion to consider an executive session after the regular meeting for personnel matters, seconded by Councilperson Saunders. Motion carried unanimously.

## **MANAGER ITEMS:**

### **Legals Advertisement by Attorney White.**

Attorney White presented legal advertisements published in the Moundsville Daily Echo to be received and filed by council:

1. Request for Zone Change at 1513 Third Street
2. Request for Zone Change at MVFD Property
3. Request for Variance at 700 Seventh Street
4. Request for Zone Change at 310 Thorn Avenue
5. Sealed Bids for 2019 Fireworks Display
6. Sealed Bids for 2019 One Ton Dump Truck
7. Sealed Bids for 2 Garbage Trucks
8. Judgement for Municipal Fee/Garbage Charges

Councilperson Haynes made a motion to receive and file the legal ads, seconded by Councilperson Hunt. Motion carried unanimously.

City Manger Healy presented the following report to council:

1. I, along with Mayor Remke attended the Quarterly Meeting of the Belomar Regional Council Board of Directors on February 21, at the Highland's Event Center. The meeting was heavily transportation related, but we did learn that the Community Development Block Grant awards for WV have still not been announced. These awards have previously been announced by the end of January. As a reminder, the City had two applications placed – one for a water project (which was basically not recommended for funding by the WV IJDC), and the other was for a \$250,000 demolition grant.
2. On that note, I have directed Building Inspector Joe Richmond to begin the process for the demolition of three houses that are on the current priority list, to be paid from the demolition fund account.
3. Also, with Mayor Remke, I attended a Gas & Oil Symposium at Wheeling

Island Casino Ballroom. The Event Title was Lessons Learned and Preparation for Potential Ethane Cracker Plant. There were numerous speakers including Rebecca Matsco, Potter Township Supervisor. Ms. Matsco explained much about the early process and discussed the current state of construction. Of interest: she noted that there are currently 4,000 construction workers on site utilizing 120 buses twice daily – they expect the number of workers to swell to 6,000 at peak – with 400-600 permanent workers, and they are exactly seven years from the announcement, to give you an idea of the time line. A portion of the seminar was devoted to workforce preparation, as well.

3. The city had two booths at the recent Marshall County Home and Business Expo – one for City Council and the Manager, and one for FD and PD. The Chamber estimated 3,500 people attended over the two-day period. Many people told us that this is the premier event of this type on the region. It was great to see local people there, but meet people from outside Moundsville, as well, and let them know the exciting things Moundsville has coming. I appreciate the attendance of Council, Chief Mitchell and Chief Brandon and staff, and the Street Department for assisting with the delivery and set-up. As always, my employees step up and do a great job.

4. I attended the Marshall County Commission meeting last week and heard a presentation from the West Virginia Conservation Agency regarding the Cost Share/Funding Agreement that exists with the Agency, County Commission, and the City. The current agreement is from 2002 and the Agency is requesting an updated agreement and an increase in the City's share. This is for operation, maintenance, and repair work on the Middle Grave Creek channel. This will be on the Sub-Committee agenda next week. I also reached out to the Commissioners and promised a great partnership between the City and County, in general.

5. I attended a Grand Re-Opening at Theresa's Fabrics this morning. Great to see a local owner making a commitment to Moundsville, especially in the historic business district. The store was full of customers this morning.

6. An opening still exists on the Moundsville Building Commission.

7. I did interviews and made an offer last week for the Parks & Recreation Director position. At this time, I'd like to give a short bio on our new director.

a. He is a life-long resident of the City of Moundsville, attended Marshall County Schools, and is a graduate of the former Belmont Tech. He is retired from the First Energy Corporation. He has thirty-six years of management

experience, with extensive experience in budgets and planning. He has coached baseball, softball, flag and tackle football, basketball, and lacrosse, all in Marshall County. More importantly, he believes in teamwork, and he really got me excited during our discussion with his ideas to initiate activities and programming in our parks system. And, like all of us, he loves his hometown of Moundsville. He will assume his duties on March 11. Mr. Mayor and members of council, I would like to introduce the new City of Moundsville Parks & Recreation Director – Mr. John White.

8. I also want to thank Heath Logsdon for filling in while the Recreation Director position was vacant. Heath will be re-classified to the position of Pool Manager, effective March 11, 2019. Thank you, Heath.

And lastly, City Manager Healy announced that Good Times Event Planning is organizing a Spaghetti Dinner to help with funeral expense for Billy Decker who was involved in a fatal car accident several weeks ago on south Rt. 2. Good Times Event Planning is requesting a donation to this benefit that will be held on March 24, 2019 from 12-5 p.m.

Councilperson Hunt made a motion to place on the March finance meeting, seconded by Councilperson Saunders. Motion carried unanimously.

#### **MAYOR ITEMS:**

\* Mayor Remke made a motion to discuss at the policy meeting for consideration of revising the Planning Commission ordinance by removing the City Manager's designee and the council member as voting members, seconded by Vice Mayor D. Wood for discussion.

Mayor Remke called for all in favor. Since council members were not in favor, the motion and second died.

\* Mayor Remke made a motion to discuss at the policy meeting to revise the section of the charter for election of the Mayor by the citizens for a four year term, seconded by Councilperson Saunders.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 5 nay, 2 yeas. Remke and Saunders voting yea. Motion failed.

\* Mayor Remke made a motion to discuss at the traffic meeting the possibility of metered loading zones on city streets. Motion died for lack of a second.

\* Mayor Remke asked Manager Healy to meet with Chief Mitchell and the Sanford Center Board to discuss the possibility of temporarily relocating the police department at the center.



- \* Mayor Remke attended the Cracker Plant Symposium along with Manager Healy. There was discussion of another meeting to be scheduled in April.
- \* Mayor Remke reported the road sinking at 7<sup>th</sup> Street & Grant Avenue.
- \* Mayor Remke asked Manager Healy to contact DOH concerning the very short time limit on the new turn light at 12<sup>th</sup> & Lafayette Avenue.
- \* Mayor Remke made a motion to discuss at the finance meeting a donation to the Cub Scout Cake Bake Auction, seconded by Councilperson Saunders. Motion carried unanimously.

**COMMITTEE REPORTS:**

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

The Finance Committee will be on March 12, 2019 at 5:00 p.m.

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

The Policy Committee will follow the finance meeting.

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

The Traffic Committee will follow the policy meeting.

**Discussion of Recommendations by the Sanitation Committee.**

1. Discussion of Bag Limits, Bulk Pickup and Charging Per Bag for Grass, Leaves and Brush. Committee recommends directing the Attorney to revise the Sanitation ordinance to decrease the bag limit from 10 to 7; charge \$6.27 per yard for overage of the 7 bag limit of household garbage; \$2 per bag for grass clippings and leaves; \$2 per 3 ft bundle of twigs/tree branches.

Public Works Director Stocklask noted the revision is in lieu of a rate increase. Councilperson DeWitt requested the amount of citizens being charged extra for overate and cost of tipping fees.

Councilperson Haynes made a motion to direct Attorney White to revise the garbage ordinance to decrease the bag limit to seven bags of household garbage; charge \$6.27 per yard for overage of the 7 bag limit of household garbage; \$2 per bag for grass clippings and leaves; \$2 per 3 ft bundle of twigs/tree branches, seconded by Councilperson Saunders.

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

**COUNCIL ITEMS:**

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

\* **Hunt** - Commended the Water Board for investing approximately \$1.1 million in the city's infrastructure for two water line projects on Fourth Street and First Street.

Mayor Remke thanked the Marshall County Commission for contributing to the project in the amount of \$45,000.

\* **S. Wood** - Made comment to a compliment toward the Street Department which said the Weather Channel was bragging on Massachusetts saying they really know how to handle the snow and clean up the streets. Somebody on facebook responded by saying they would put the City of Moundsville up against them any day. The Street Department does an awesome job! Ms. Wood said it was nice to see a positive comment about Moundsville.

\* **Haynes** - Thanked City Manager Healy for taking care of the problem on Elm Avenue.

\* **D. Wood** - Congratulations to John White on his appointment as the Moundsville Parks & Recreation Director.

\* **DeWitt** - Good luck to Councilperson Hunt on her surgery March 12.

\* Asked Mayor Remke to look into scheduling the Sanitation Sub Committee on the second Tuesdays along with the three other sub committee meetings.

\* Reported the lights on Rt. 2 & 8<sup>th</sup> Street are out again.

\* Reminded Manager Healy to speak with their employees concerning the Food Drive.

\* **Mayor Remke** - Congratulations to John White on his appointment.

\* Invited council members to tour the "tiny" houses.

Mayor Remke made a motion to recess and return to the executive session, seconded by Councilperson Haynes. Motion carried unanimously.

Meeting recessed at 9:00 p.m.

Meeting reconvened at 9:08 p.m.

Executive session began at 9:08 p.m.

Executive session recessed at 9:30 p.m.

Regular session reconvened at 9:30 p.m.

Councilperson S. Wood moved to adjourn, seconded by Councilperson DeWitt.

Motion carried unanimously.

Meeting adjourned at 9:32 p.m.

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Sondra J. Hewitt, City Clerk

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Phil Remke, Mayor