

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
APRIL 5, 2016**

The Council of the City of Moundsville met in regular session in the Council Chambers on April 5, 2016 at 7:00 p.m.

Meeting was called to order by Mayor Eugene Saunders.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: Vice Mayor DeWitt, D. Haynes, P. Haynes, Hendershot, Simms, Wood and Mayor Saunders. Also present: City Manager Deanna J. Hess, Asst. Fire Chief Walker, Police Chief Mitchell, Street Commissioner Stocklask, CPA Kathryn Goddard, Attorney Thomas White, and City Clerk Hewitt. Absent: Chief Clarke.

Regular Council Meeting of March 15, 2016.

Vice Mayor DeWitt made a correction on page 7 line 6 should read, "each employee should receive a \$1 per hour increase". Councilperson P. Haynes made a motion to accept and approve the minutes of the regular council meeting of March 15, 2016, seconded by Vice Mayor Dewitt, as amended. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Cindy Norris, 2000 Fourth Street, asked council for a compromise in the chicken ordinance rather than banning them.

* Gary Fordyce, 1826 Fourth Street, said he lives near 2000 Fourth Street saying the chickens were never a problem.

OLD BUSINESS:

* Vice Mayor DeWitt asked Manager Hess if there has been any progress on the Long John Silvers property? She advised there had not.

* Councilperson P. Haynes asked Manager Hess if she heard of another gambling establishment coming to the area? Manager Hess said Gumby's purchased the lot across from Buffalo Wild Wings, so they may be looking at building.

* Councilperson Wood said House Bill 4009 Roads/Bridges passed on February 4th and goes into effect ninety days after passage. The bill gives each County Commission authority to submit

road and bridge construction projects that are approved by the voters to the Commissioner of Highways.

* Councilperson Wood said he would like to discuss goals again at the sub committee meetings.

* Councilperson Wood also said he will be at the Moundsville Middle School on Wednesday at 9:45 a.m., to introduce Shawn Fluharty to the 7th grade students.

* Councilperson Hendershot asked Manager Hess to give an update to council on the purchase of the city vehicle. Manager Hess said she had not made a decision to purchase vehicle yet, she may reject all bids. Attorney White said there was a legal issue concerning the low bid and he would like to look at the specs.

NEW BUSINESS:

Discussion of the Recommendation by the Moundsville Planning Commission to Deny the Request for a Zone Change at 1600 Third Street.

Councilperson Simms made a motion to accept the recommendation by the Planning Commission to deny the request at 1600 Third Street, seconded by Councilperson DeWitt. Motion carried unanimously.

Discussion of a Recommendation by the Moundsville Planning Commission to Explore the Options and Provide an Addition to the Special Exceptions Sections of the “R-U” Urban Residential Zone.

Councilperson Hendershot made a motion to send the recommendation to explore the options and provide an addition to the special exceptions sections of the “R-U” Urban Residential Zone to the Policy Committee, seconded by Councilperson Simms. Motion carried unanimously.

Discussion and Approval of an Ordinance Pertaining to Murals in the City of Moundsville. (First Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, CREATING ARTICLE 1391 OF THE CODE OF THE CITY OF MOUNDSVILLE PROVIDING FOR APPROVAL AND REGULATIONS OF MURALS IN THE CITY OF MOUNDSVILLE (FIRST READING)

Councilperson Wood moved to approve the mural ordinance, seconded by Vice Mayor DeWitt. Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

* Vice Mayor DeWitt said she received complaints that Gumby’s in Moundsville is charging a “Carry-Out” fee on items purchased at their store. She said citizens were wondering if this was the 1% sales tax the city is going to impose? She did inform citizens it was not the 1% sales tax. Manager Hess said she will look into the fee.

* Vice Mayor DeWitt made a motion to discuss at the Policy Committee the possibility of dissolving the Parks & Recreation Board which would permit the City Manager to be in charge, seconded by Wood. City Clerk announced the following tally, 4 yeas, 2 nays, 1 abstain. Simms and P. Haynes voting nay. Mayor Saunders abstaining. Motion carried.

* Councilperson Hendershot said a section in the code says the Recreation Commission is strictly an advisory board.

MANAGER ITEMS:

* Manager Hess announced a ribbon cutting at Grand Vue Park, Friday, April 15, 2016 at 11:00 am announcing the first Aerial Adventure Park in the region located at Grand Vue.

* Manager Hess read an article in the Wheeling News Register announcing the West Virginia’s Public Insurance Agency Finance Board (PEIA) approved \$120 million in cuts from Health Plans. She thanked council for approving the city’s employee health plan coverage for the next fiscal year.

* Manager Hess announced two properties that will be demolished soon are 401 Jefferson Avenue and 202 Thorn Avenue.

Legal Advertisements by Attorney White.

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

1. Health & Safety Ordinance Violation - 401 Jefferson Avenue
2. Sealed Bids for 2016 Sports Utility Vehicle
3. Sealed Bids for Equipment & Vehicles
4. Budget/Fiscal Year Levy

Councilperson Simms made a motion to receive and file the legal ads, seconded by Vice Mayor

DeWitt. Motion carried unanimously.

MAYOR ITEMS:

* Mayor Saunders said he was not aware of the citizens who keep chickens and hopes things will be resolved at the Policy Committee meeting.

* Mayor Saunders said he participated in a radio interview on 88.7 FM and spoke highly of council.

* Mayor Saunders read a proclamation for National Service Recognition day on April 5, 2016. This proclamation was sponsored by AmeriCorps and Senior Corps.

Councilperson Simms made a motion to proclaim April 5, 2016 as National Service Recognition Day, seconded by Councilperson DeWitt. Motion carried unanimously.

* Mayor Saunders mentioned an incident that occurred on 7th Street & Juniper Avenue when some roofing blew off of an apartment building. First Responders were called and well as the Building Inspector due to the call saying the roof blew off the building. The roof was still intact but several code violations were discovered.

COMMITTEE ITEMS:

Discussions of Recommendations by the Finance Committee.

Finance Meeting is scheduled for Tuesday, April 12, 2016 at 5:00 pm.

Discussions of Recommendations by the Policy Committee.

Policy Meeting will follow the Finance Meeting.

Discussions of Recommendations by the Traffic Committee.

Traffic Meeting will follow the Policy Meeting.

COUNCIL ITEMS:

* **DeWitt** - Said it was good to see Fire Chief Clarke back at council.

* **P. Haynes** - Asked Manager Hess and all of council to look at 52 Linden Avenue, the house is in bad shape.

* **D. Haynes** - Suggested when street paving is put out for bid to add a couple more streets if the

funds are available.

* **Hendershot** - Made comment to the First Responders responding to the Seventh Street incident; the Police Officers responding and apprehending suspected burglars; handling an armed suspect without injury to anyone highlights on the staff of well trained and well staffed employees. He commends those individuals for their work.

Mayor Saunders added that Chief Mitchell did an excellent job controlling a stand-off situation involving an armed individual.

* Apologized to council for the oversight on an invitation to the ribbon cutting for Northern Panhandle Head Start.

* **Wood** - Said before the meeting he congratulated Chief Mitchell on the earlier incident. And also Chief Clarke on his return to work.

* Said he provided Manager Hess with information on chickens and bees. He requested that council have copies before the sub committee meeting.

* **Simms** - Nothing at this time.

Councilperson Simms made a motion to adjourn, seconded by Councilperson P. Haynes. Motion carried unanimously.

Meeting adjourned at 7:46 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor