

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**
2 **MOUNDSVILLE, MAY 15, 2018**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers
5 on May 15, 2018 at 7:00 p.m.

6
7 Meeting was called to order by Mayor Allen Hendershot.

8
9 Invocation was given by Mayor Allen Hendershot.

10
11 City Clerk Hewitt called the roll and the following Councilpersons were in attendance:
12 DeWitt, Haynes, Remke, Saunders, Wood and Mayor Hendershot. Absent: Hunt. Also
13 present were City Manager Hess, City Clerk Hewitt, Police Chief Mitchell, Public Works
14 Director Stocklask, Building Inspector Richmond, Acting Assistance Fire Chief Kimple,
15 Parks & Recreation Director Coville, and Attorney Thomas White. Absent: CPA Kathryn
16 Goddard.

17
18 **MINUTES:**

19
20 **Regular Council Meeting of May 1, 2018.**

21
22 Councilperson Haynes made a motion to accept and approve the minutes of the regular
23 council meeting of May 1, 2018, seconded by Vice Mayor Remke. Motion carried
24 unanimously.

25
26 **GENERAL PUBLIC HEARING:**

27
28 * Shawn O'Rourke, Sprint Wireless, spoke to council concerning a lease agreement
29 between the City of Moundsville and Sprint Wireless to install a wireless tower on the
30 Moundsville Street Department building on First Street.

31
32 * Karen Ali, Cherokee Hills, expressed concerns of vehicles parking against the flow on
33 Cherokee Drive, as well as pedestrians walking on Cherokee Drive since they have no
34 sidewalks. She noticed fewer speed limit signs and no longer any "No Parking" signs on
35 Cherokee Drive. Mrs. Ali presented a signature petition from residents in Cherokee Hill
36 concerning the road conditions, speed limit signs, and parking issues.

37
38 Vice Mayor Remke made a motion to receive and file the petition, seconded by
39 Councilperson DeWitt. Motion carried unanimously.

1 * Tom Doyle, 103 Cherokee Drive, supports the petition presented by Karen Ali and
2 objected to paving only the center of Cherokee Drive saying he and other residents want
3 the whole street paved.

4
5 * David Cain, 26 Cherokee Drive, reported a vehicle at 11 Cherokee Drive that parks on
6 the street which makes access to Cherokee Drive from the brick side street hard to pull
7 out onto Cherokee Drive especially in the winter when the streets are slick. The vehicle
8 also obstructs two way traffic, meaning other vehicles have to yield to oncoming traffic
9 then pull out around the vehicle to continue their travel.

10
11 Mayor Hendershot made a motion to place this concern on the traffic sub committee
12 agenda, seconded by Councilperson DeWitt. Motion carried unanimously.

13
14 **OLD BUSINESS:**

15
16 **Discussion and Approval of an Ordinance Revising the Employee Policy Regulations**
17 **Dealing with Longevity Pay and Removing the Cap. (Second Reading)**

18
19 Attorney White read the following ordinance by title only to be passed by council on
20 second and final reading:

21
22 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
23 **WEST VIRGINIA, AMENDING AND REENACTING A PORTION OF ARTICLE**
24 **155 OF THE CODE OF THE CITY OF MOUNDSVILLE RELATING TO**
25 **POLICY PROVISIONS FOR EMPLOYEES OF THE CITY OF MOUNDSVILLE,**
26 **BY AMENDING AND REENACTING SECTION 155.09 SUBSECTION "m," FOR**
27 **LONGEVITY PAY, TO INCREASE THE ANNUAL AMOUNT AND REMOVE**
28 **THE MAXIMUM CAP THEREOF. (SECOND READING)**

29
30 Vice Mayor Remke made a motion to approve the above ordinance, seconded by
31 Councilperson DeWitt.

32
33 Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following
34 tally. 6 yeas. Motion carried unanimously.

35
36 **Discussion and Approval of an Ordinance Revising the Employee Policy Regulations**
37 **Dealing with Longevity Pay and Removing the Cap for the Police and Fire**
38 **Departments. (Second Reading)**

39
40 Attorney White read the following ordinance by title only to be passed by council on

1 second and final reading:
2

3 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
4 **WEST VIRGINIA, AMENDING AND REENACTING A PORTION OF ARTICLE**
5 **155 OF THE CODE OF THE CITY OF MOUNDSVILLE RELATING TO**
6 **POLICY PROVISIONS FOR EMPLOYEES OF THE CITY OF MOUNDSVILLE,**
7 **BY AMENDING AND REENACTING SECTION 155.17(a)(2) AND**
8 **155.17(b)(2) FOR LONGEVITY PAY, TO INCREASE THE ANNUAL AMOUNT**
9 **AND REMOVE THE MAXIMUM CAP THEREOF, FOR POLICEMEN AND**
10 **FIREMEN. (SECOND READING)**

11
12 Vice Mayor Remke made a motion to approve the above ordinance, seconded by
13 Councilperson DeWitt.

14
15 Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following
16 tally. 6 yeas. Motion carried unanimously.

17
18 **Discussion and Approval of an Ordinance Amending Employee Regulations to**
19 **Offer a \$2,000 Sign On Bonus for Newly Hired Police Officers. (Second Reading)**

20
21 Attorney White read the following ordinance by title only to be passed by council on
22 second and final reading:

23
24 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
25 **WEST VIRGINIA, AMENDING AND REENACTING A PORTION OF ARTICLE**
26 **155 OF THE CODE OF THE CITY OF MOUNDSVILLE RELATING TO**
27 **POLICY PROVISIONS FOR EMPLOYEES OF THE CITY OF MOUNDSVILLE,**
28 **BY ADDING A SUBSECTION 155.17(a)(6) TO PROVIDE FOR A SIGN-ON**
29 **BONUS FOR NEWLY HIRED POLICE OFFICERS. (SECOND READING)**

30
31 Councilperson DeWitt made a motion to approve the above ordinance, seconded by Vice
32 Mayor Remke.

33
34 Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following
35 tally. 5 yeas, 1 nay. Saunders voting nay. Motion carried.

36
37 **Other Items to be Discussed by Council.**

38
39 * Councilperson Haynes said he was going to suggest hiring a code enforcement officer
40 but since she hired another building inspector he doesn't wish to discuss it at this time.

1 * Councilperson Wood requested the discussion of goals be placed as the first item on the
2 next policy agenda.

3
4 * Councilperson Wood requested the audit plan be presented to council at the next policy
5 meeting.

6
7 * Councilperson Wood asked for an update on the paving. Manager Hess reported the
8 total to pave the listed streets are \$282,793.00 which includes \$25,000 for 10th Street from
9 Lafayette Avenue to Thompson Avenue. At this time, the total from the Municipal Fee
10 Account is \$373,689.31. Mayor Hendershot suggesting using some funds from the 1%
11 Municipal Sales Tax for paving.

12
13 * Councilperson Wood asked Parks & Recreation Director Coville how far along he is in
14 his master plan for the pool? Director Coville said he will provide his plan to council
15 sometime in June.

16
17 * Councilperson DeWitt asked for the status of the 8th Street house that was on fire.
18 Building Inspector Richmond said the time has expired for the owner to demo the house.
19 He said the property will go out for bids on demolition as well as asbestos testing.

20
21 * Councilperson DeWitt asked where we stand with the 120 Poplar Avenue, former
22 Cheslick Store? Neighbors are complaining about the property again. Building Inspector
23 Richmond said the property will have to be revisited.

24
25 * Councilperson Saunders asked if the meter attendant issues have been addressed? Has
26 he been wearing a uniform and writing tickets? City Manager Hess said uniforms have
27 been ordered. He knows he can issue parking violations as well as meter violations.

28
29 * Councilperson Saunders asked for an update on Jason Drive. Manager Hess said she
30 has not received any recent reports at this time. However, Howard Coffield of the
31 Marshall County Commission is suppose to be in touch with Stormwater Superintendent
32 Larry Bonar.

33
34 * Vice Mayor Remke asked for an update concerning replacement of the trees on
35 Jefferson Avenue by UMAC. Manager Hess said she spoke with a UMAC representative
36 who stated they were not replacing the trees on Jefferson Avenue. Vice Mayor Remke
37 requested a representative from UMAC attend the next council meeting to discuss
38 replacing the trees.

39
40 * Vice Mayor Remke asked Parks & Rec Director Coville if the pools pump and heater

1 are fixed and running? Director Coville said the heater was fixed and running. He said
2 the pump cost \$18,000 to fix and the heater was a little over \$13,000.

3
4 * Vice Mayor Remke asked for the break down of the 1% Municipal Sales Tax for online
5 sales. He said he spoke with someone from Home Rule that said the information would
6 be provided to the Mayor if it was requested.

7
8 Councilperson DeWitt made a motion to direct the City Manager to send a letter to the
9 WV State Tax Department requesting that information, seconded by Vice Mayor Remke.
10 Motion carried unanimously.

11
12 * Vice Mayor Remke asked if Attorney White researched the question by Councilperson
13 Haynes concerning the amount of members on the board? Attorney White said the total
14 members on the board shall be five.

15
16 Councilperson DeWitt asked Attorney White to clarify the duties of a Zoning Appeals
17 Board member. Attorney White explained the board enforces the zoning of any decisions
18 by the building inspector; they deal with the "special exceptions" of the zoning code; all
19 other general issues concerning the zoning. And, anyone disputing the decisions made by
20 the Zoning Board must go before the Circuit Court.

21
22 * Vice Mayor Remke asked Manager Hess if City Engineer Tush provided information
23 concerning the property above Sandy Avenue for development. Manager Hess said Mr.
24 Tush has not provided her with information at this time.

25
26 * Vice Mayor Remke asked when the updated employee policy regulations will be ready
27 for employees to review and sign? Attorney White said employees will not receive the
28 new policies (newly hired employees will receive a copy). He said the policy regulations
29 are being reviewed by Commercial Insurance.

30
31 * Vice Mayor Remke asked for an update on the computer upgrades. Manager Hess said
32 we are going to meet for a conference call and move forward.

33
34 **NEW BUSINESS:**

35
36 **Discussion and Approval of a Resolution Authorizing the Request for a Reduction**
37 **on Local Share Match to the WV Department of Transportation.**

38
39 Vice Mayor Remke made a motion to approve the resolution to WV DOT, seconded by
40 Councilperson Wood. Motion carried unanimously.

1 Mayor Hendershot suggested providing a letter of support by Belomar also.

2
3 **Discussion and Approval of a Resolution Authorizing the City Manager to Enter**
4 **into a Pipeline Easement and Right of Way Agreement with XCL Midstream**
5 **Operating, LLC.**

6
7 Councilperson Saunders made a motion to approve the resolution, seconded by
8 Councilperson DeWitt. Motion carried unanimously.

9
10 Councilperson Haynes asked what is the city going to do with that money if and when
11 they receive it? Mayor Hendershot said there was previous decision concerning the 1%
12 sales tax of putting money back into the timbering account for Parks & Recreation. Also,
13 Councilperson Hunt previously recommended moneys from B&O projects be placed in a
14 rainy day account. Council can recommend the same procedure for this money.

15
16 **Discussion and Approval of a Resolution to Enter Into a Loan Agreement for the**
17 **Lease-Purchase of Two 2018 Ford Explorer Police Cruisers for the Police**
18 **Department.**

19
20 Councilperson Saunders made a motion to approve the lease purchase resolution for two
21 new police cruisers, seconded by Vice Mayor Remke. Motion carried unanimously.

22
23 **Discussion and Approval of a Resolution to Enter Into a Loan Agreement for the**
24 **Lease-Purchase of a 2018 Ford Interceptor for the Fire Chief.**

25
26 Councilperson Haynes made a motion to approve the lease purchase resolution for a new
27 fire cruiser, seconded by Councilperson Saunders. Motion carried unanimously.

28
29 **Discussion and Approval of a Resolution to Enter into a Contract with Health Plan**
30 **Insurance Company to Provide Employee Health Care Benefits for the period of**
31 **July 1, 2018 through June 30, 2019.**

32
33 Councilperson Saunders made a motion to approve the Health Plan Insurance resolution,
34 seconded by Councilperson DeWitt. Motion carried unanimously.

35
36 Manager Hess said the Schwendemann Agency was able to reduce the employee health
37 insurance from 12% to 8.5 %. Mayor Hendershot suggested sending a letter of thanks to
38 the Schwendemann Agency for doing such a great job in keeping our insurance at a lower
39 cost.

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

2
3 * Vice Mayor Remke said he thanked Auro360 Company for providing council with
4 information on a 3D High Performance model program. Discussion was held as to
5 whether not the city building was a sound structure for construction additions. Mayor
6 Hendershot said he spoke with City Engineer Tush who was not sure if the building was
7 structurally sound for additional construction.

8
9 Mayor Hendershot asked Manager Hess to contact City Engineer Tush concerning the
10 stability of the city building.

11
12 * Vice Mayor Remke made a motion to discuss at the policy sub committee meeting
13 amendments to the zoning code concerning lay-down yards and storage of porta johns,
14 seconded by Councilperson DeWitt.

15
16 Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following
17 tally. 4 yeas, 2 nay. Haynes and Saunders voting nay. Motion carried.

18
19 * Vice Mayor Remke reported that he, Manager Hess and Parks & Recreation Director
20 met with Corey Young and Dr. Shelby Haines from the Marshall County Board of
21 Education, concerning a spray park and play area for handicapped children. Vice Mayor
22 Remke has scheduled another meeting at John Marshall on May 30, 2018 at 8:00 a.m.

23
24 * Councilperson Saunders asked when the Fire Chief testing will be conducted? Manager
25 Hess said Fire Fighter Civil Service Commission is looking at June 1, 2018.

26
27 * Councilperson Saunders thanked the Street Department for sweeping his street.

28
29 * Councilperson DeWitt suggested using any extra asphalt to make a basketball court on
30 Pearl Street off of Parriott Avenue for the neighborhood kids. The property was given to
31 the city by FEMA after the flood and can only be used for recreation.

32
33 Mayor Hendershot suggested discussing the idea at the finance sub committee meeting.
34 Manager Hess and Parks & Recreation Director Coville will look into the regulations of
35 the property.

36
37 * Councilperson DeWitt said she read in the paper where AEP is requested aa usage
38 increase of about \$14.85 per customer. Ms. DeWitt wanted to make council aware of the
39 proposed increase.

1 * Councilperson Wood asked the name of the newly hired Building Inspector. Manager
2 Hess announced his name is William Wilson.

3
4 * Councilperson Haynes noticed the Street Department was hiring for street and
5 sanitation laborers. Public Works Director Stocklask said he and Manager Hess will be
6 conducting interviews on Wednesday.

7
8 **MANAGER ITEMS:**

9
10 * Manager Hess received a letter of thanks from Melissa Coffield of the John Marshall
11 Anniversary Committee for the city's purchase of an anniversary flag.

12
13 Manager Hess read her manager's report to council:

14
15 1) The Public Works Director and I are in the process of interviewing people for the
16 Street, Sanitation and summer help.

17
18 2) I have employed an individual for the position of Building Inspector. He will begin
19 work on May 21st. He could not attend tonight's meeting to be introduced.

20
21 3) Each councilperson has been given a copy of a sample letter that goes with the
22 resolution on the agenda concerning funding for bridges in need of replacement. This
23 action is being taken in an effort to lower the percentage match as outlined in the e-mail
24 from the Department of Highways prior to moving forward with this project.

25
26 4) Recreation Director Coville, Vice Mayor Remke and I attended a meeting with the
27 Marshall County School Board. Dr. Shelby Hines and Corey Young were there
28 concerning funding for children with disabilities to be able to utilize the playground and
29 pool.

30
31 5) A ribbon cutting was held for the new sanitation building. The workers are very
32 pleased with the facility.

33
34 6) Working on the Community Day event. As of now, the City has \$1,750 for this.
35 Letters were mailed to businesses asking for donations.

36
37 7) Republic Services has contacted the City and informed us that we need to change how
38 this is being handled. They suggested that the gates be closed and access be given during
39 working hours five days a week until the problems can be resolved. The Street
40 Department property was over flowing with a large amount of bags containing household

1 garbage. Some of the garbage had blown all over the property.
2

3 Council members agreed to have the dumpsters removed and terminate the recycling
4 program until further notice. Attorney White will research the terms of the contract.
5

6 8) We will be interviewing two police officer candidates on Thursday, May 17th. If they
7 are hired, I will have them at the next Council Meeting.
8

9 9) Painting of the parking meters will be done by the Landmark Commission and Middle
10 School on May 21st, with a rain date of May 22nd. Police Department will be bagging the
11 parking meters at the court house. FRN is supplying paint for the students and Candy
12 Dobbs with the Landmarks Commission has purchased paint for her group.
13

14 10) The lights on Jefferson Avenue that have been out were worked on today. The
15 workers are testing the breakers along the sidewalk. Will be back tomorrow. Outage
16 seems to be caused by rain.
17

18 11) A new business will be opening on Tenth Street by Harvey Goodman Realty. Two
19 restaurants: Mason Dixon Barbecue will be opening in the former Rockin' Rowdy's
20 location and El Grand Patron will be opening in the upper shopping plaza.
21

22 * Manager Hess announced Business After Hours will be held on May 24, 2018 from 5-7
23 at Williams Energy, 100 Teletech Drive. Any council member wishing to attend should
24 call Marilyn.
25

26 **MAYOR ITEMS:**
27

28 * Mayor Hendershot asked for an update on the cost for the Middle Grave Creek cleanup
29 or is the city expected to participate in the cost? Manager Hess said she has not heard
30 back from anyone at this time.
31

32 * Mayor Hendershot said the Street Department has a large excavator they seldom use.
33 City Manager Hess said she will ask the Sanitary Board if they are interested in
34 purchasing it. If they are not interested, the city should sell or trade it in for a mini
35 excavator.
36

37 * Mayor Hendershot said he mentioned renovations of the city building to the City
38 Engineer, who will provide the City Manager with an update.
39

40 * On May 10 Mayor Hendershot attended the ribbon cutting at the new sanitation

1 building. It is a beautiful building and commended Public Works Director Stocklask and
2 everyone involved.

3
4 * Mayor Hendershot was asked to speak on Tuesday, May 10 at Walmart for the new
5 online grocery purchasing service.

6
7 * April 3, 2018, Mayor Hendershot was asked to participate in the Annual Day of Prayer
8 and asked to pray for Municipalities. Vice Mayor Remke was also there and prayed for
9 businesses. This Day of Prayer was held at the Riverfront Park.

10
11 * Mayor Hendershot will be interviewed on the Don Gilbert Radio Station, Friday, May
12 18, 2018 at noon.

13
14 **COMMITTEE ITEMS:**

15
16 **Discussion of Recommendations by the Finance Committee.**

17
18 1. Discussion of Purchasing Two (2) Police Cruisers for Police Department. Committee
19 recommends authorizing the purchase of two 2018 Ford Explorer police cruisers at a cost
20 of \$74,768.26.

21
22 Vice Mayor Remke said approval of purchasing the two police cruisers was discussed
23 under new business.

24
25 2. Discussion of Purchasing Vehicle for Fire Department. Committee recommends
26 authorizing the purchase of a 2018 Ford Interceptor at a cost of \$38,348.00.

27
28 Vice Mayor Remke said approval of purchasing the fire chief vehicle was also discussed
29 under new business.

30
31 **Discussion of Recommendations by the Policy Committee.**

32
33 1. Discussion of Renewal of Lease for Boat Docks. Committee recommends terminating
34 present lease agreement and pursue discussions with First Responders, Marshall County
35 EMS and Pittsburgh Port Authority.

36
37 Councilperson DeWitt made a motion to renew the present lease for one year at a time,
38 seconded by Councilperson Saunders.

1 Vice Mayor Remke made a motion to increase the monthly rent of the boat docks by 10%.
2 Motion failed for lack of a second.

3
4 Mayor Hendershot called all in favor of the first motion. Motion carried unanimously.
5

6 2. Discussion of Revising 155.10(ii) of Policy Regulations Dealing with Pool Passes for
7 Employees and Retirees. Committee recommended revising the policy to include
8 immediate family members at a 50% admission discount.
9

10 Councilperson Saunders made a motion to direct Attorney White to draft an ordinance to
11 include immediate family members (spouses, children under 18 living in household
12 (claimed on income taxes), seconded by Councilperson Haynes.
13

14 Mayor Hendershot called for voice vote. City Clerk Hewitt announced the following
15 tally. 4 yeas, 2 nays. DeWitt and Remke voting nay. Motion carried.
16

17 **Discussion of Recommendations by the Traffic Committee.**
18

19 1. Discussion of Abandonment or Easement of Alley Located Between Fifth & Sixth
20 Street Behind 908 Sixth Street off of Baker Avenue. Committee recommends to direct
21 City Attorney White to draft an ordinance to abandon the alley behind 908 Sixth Street.
22

23 Councilperson Saunders made a motion to direct Attorney White draft the abandonment
24 ordinance, seconded by Councilperson DeWitt. Motion carried unanimously.
25

26 2. Discussion of Approving Engineering Cost for 2018 Street Paving. Committee
27 recommends putting out to bid the six streets engineered at a cost of \$257,793.00 and to
28 include 10th Street from Lafayette Avenue to Thompson Avenue.
29

30 Councilperson Saunders made a motion to approve engineering cost for 2018 paving,
31 seconded by Councilperson Haynes.
32

33 Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following
34 tally. 5 yeas, 1 nay. Remke voting nay. Motion carried.
35

36 Vice Mayor Remke had requested the north city lot be paved to no avail. Mayor
37 Hendershot said the lot can be paved later this year. There will be money left over in the
38 Municipal Fee account.
39
40

1 **COUNCIL ITEMS:**

2
3 * **Haynes** - Said he was happy to see that 10th Street was added to the paving list.

4
5 * **Wood** - Nothing at this time.

6
7 * **DeWitt** - Hope that council can come to some kind of decision to continue the recycling
8 program.

9
10 * **Saunders** - Nothing at this time.

11
12 * **Remke** - Received a complaint of heavy trucks on Oak Avenue. He asked that they be
13 informed that Oak Avenue is not a truck route. Mayor Hendershot said truckers also need
14 to be notified about the weight limits on bridges.

15
16 * Requested gravel in alley behind 1514 8th Street.

17
18 Vice Mayor Remke made a motion to adjourn, seconded by Councilperson Haynes.
19 Motion carried unanimously.

20
21 Meeting adjourned at 9:03 p.m.

22
23
24
25
26
27 _____
28 Sondra J. Hewitt, City Clerk

29
30
31
32
33
34
35
36
37 _____
Allen Hendershot, Mayor