

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**
2 **MOUNDSVILLE, DECEMBER 1, 2020**

3
4 The Council of the City of Moundsville met in Regular Session via Zoom on
5 December 1, 2020 at 7:00 p.m.

6
7 Meeting was called to order by Mayor David Wood.

8
9 Invocation by Vice Mayor Judy Hunt.

10
11 Secretary Scarbin called the roll and the following Councilpersons were in
12 attendance: DeWitt, Hickman, Hunt, Remke, Saunders, S. Wood and Mayor
13 David Wood. Also present were City Manager Healy, Attorney White, Secretary
14 Scarbin, Finance Director Karen Ankrom, and Chief Mitchell. Absent: City Clerk
15 Hewitt. Meeting was live streamed on Zoom.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of November 17, 2020.**

20 Councilwoman Hickman moved to approve the minutes of the regular council
21 meeting of November 17, 2020, seconded by Councilman Remke. Motion carried
22 unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 **Michelle Marinacci, Gold Khoury & Turak – Update on the Opioid**
27 **Litigation.**

28 Michelle Marinacci provided an update for the open Opioid Litigation. Trial is set
29 for November 1, 2021. Federal trial scheduled for January 2021 for the CT 2 trial.
30 Attorney Tom White asked if Phase 1 was a bench or jury trial. Michelle stated
31 Phase 1 is bench.

32
33 **CITY MANAGER ITEMS:**

34 City Manager Healy provided the following report to council:

- 35
36 1.Update on the new Municipal Building – we completed our workshop earlier this
37 evening on the new Municipal/Public Safety Building. On the agenda next week
38 will be discussion and approval of a layout, which will allow the architects to
39 continue the exterior design process.
40 2.This afternoon, I attended the ribbon cutting and grand opening ceremony for the

1 Holiday Inn Express and Suites located south of the Kroger Plaza. Due to COVID,
2 the ceremony was limited. The facility is beautiful, and I encourage all of Council
3 to stop down and meet the General Manager and take a look around. I
4 wholeheartedly welcome this business to Moundsville and thank Mr. Michael
5 Holtz for his commitment to the area.

6 3.In your packet's tonight were the Department Reports for October. They were
7 left out of your packets last meeting. November reports will be in the packets for
8 the December 15 meeting.

9 4.Our website continues to be strong hosting 3,830 visits in November. Those
10 visits resulted in 7,881 page views. The Water Department regularly uses the site
11 to broadcast boil orders and leaks. I encourage all departments to send information
12 to be placed on the site. The more we load the site with City information, the
13 better help we can be, and increases transparency.

14 5.At the Water Board Meeting last week, it was reported that 21 customers were
15 eligible for the utility assistance from the Governor's Office using COVID relief
16 funds. All 21 were mailed applications, and 11 returned them by the deadline.
17 Those 11 have back payments totaling \$3,642.79.

18 6.In my last report on November 17, I noted the receipt of a grant from Active WV
19 for East End Park. Since then, I have received an additional \$3,000 grant from
20 Wesbanco to assist in this project. I'd like to thank Ms. Katrina Bonar and
21 Wesbanco for their continued support of the City of Moundsville's Parks.

22 7.I have spoken with Mr. Tom Hart from the Marshall County EMA concerning
23 the Emergency Alert Network. Marshall County already has this program in place
24 for alerts. However, they do not have the overdose component operating. This
25 must be operated by Law Enforcement, and as yet, the County has not started this.
26 I will be discussing this with Chief Mitchell to gauge the capacity for the City
27 Police to handle this.

28 8.A Bid Opening was held this afternoon for the Four Seasons Pool Phase II
29 Bathroom Renovation Project. The apparent low bidder is JD&E. However, the
30 bids did come in over the engineer's estimate. A meeting will be held in the near
31 future to determine a course of action.

32 9.Bids will be opened for the 2021 Fireworks display on December 11. Four
33 companies have been contacted.

34 10.Two new police cruisers have been received, with one being placed into service,
35 and the other being fitted with necessary lighting, etc. The two new cruisers are
36 Ford Police Interceptor SUVs. When the second one is placed into service, this
37 will allow the Department to be updated with new cruisers, and also have one spare
38 vehicle. The Police Department thanks Council for their commitment to bring the
39 fleet up to date.

40 11.The employees wish to thank City Council and the Employee Recognition

1 Committee for the donuts delivered last Monday. They were enjoyed and
2 appreciated by everyone.

3 12.I also received numerous “thank yous” from employees for the additional
4 clothing allowance. It was very much appreciated. I personally also say “Thank
5 You”!

6 13.The City Building and all other city owned facilities remain closed to the public
7 due to the rise in COVID numbers in Marshall County. All employees are
8 reporting and all city functions will co. This will remain in effect until further
9 notice. A reminder to citizens that there are drop boxes located at the front and
10 back of the city building for payments, and there is on-line pay available at the
11 city’s website www.cityofmoundsville.com. Please call the City Clerk’s Office at
12 304-845-3394 with any questions.

13 14.Also due to COVID precautions, the annual Christmas luncheon will be
14 changed this year. Instead of a group gathering, employees will enjoy a delivered
15 lunch in their own departments, and I will be having a Zoom Call with the North
16 Pole this week to arrange for gifts to be delivered for the employee’s children and
17 grandchildren.

18 15.The new meter covers have been installed along Jefferson Avenue with the Free
19 Two-Hour parking. I shopped on Small Business Saturday and it was great to see
20 so many people along the Avenue. Continue to keep our businesses in mind for
21 your Christmas shopping.

22 16.Please continue to patronize the local establishments, shops, and restaurants as
23 they continue to struggle from the effects of COVID-19.

24
25 *Councilwoman Hunt asked how much the bids were over for the Four Seasons
26 Pool Phase II Project. Manager Healy stated approximately \$40,000.00.

27
28 *Councilman Remke stated there were lower sales this year for Small Business
29 Saturday.

30
31 *Councilwoman S. Wood asked if Marshall County had things in place for
32 residents to sign up for the EMA alerts. Manager Healy stated residents can sign up
33 through the Marshall County EMA website. Councilwoman S. Wood requested a
34 post be made on the City’s Facebook page.

35
36 **OLD BUSINESS:**

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

39 *Councilwoman DeWitt – Asked when the demolition for Wilson Law Office
40 building will begin. Manger Healy stated the contract has a 30 day start date from

1 receipt of the award, which will be the end of December. City Manager stated the
2 two houses that have been burned will be done before the Wilson Building.

3 *Councilwoman Hickman - Nothing at this time.

4 *Vice Mayor Hunt – Asked if the auction sign at the Wilson Law Office building
5 was a city auction. City Manager Healy advised it was the previous owner’s auction
6 for woodwork and items inside the building.

7 *Councilman Remke – Asked if the city has purchased new white pickup trucks. He
8 has noticed an increase of white pickup trucks in the city. Manager Healy stated the
9 city has not purchased a new truck since close to two years.

10 *Councilman Remke – Water problems at Clinton Avenue and also at Second Street
11 and Washington Avenue.

12 *Councilman Saunders – 3rd and Jefferson parking issue. Manager Healy stated he
13 has looked at making permit spaces on 3rd street, but is waiting for a commitment
14 from the resident he would pay for the permit parking.

15 *Councilwoman S. Wood – Suggested to have the Façade Program as a workshop
16 on Zoom.

17
18 **NEW BUSINESS:**

19
20 **Discussion and Approval of Following the State Code to Provide Half Days for**
21 **Employees on December 24, 2020 and December 31, 2020)**

22 City Manager stated the state employee manual provides half days for state
23 employees on December 24th and December 31st and historically the city has
24 followed suit. Additionally, the Governor extends those days to full paid holidays.

25 Councilman Saunders moved to approve half days for Employees on December 24,
26 2020 and December 31, 2020 and if the Governor moves for full days, the city will
27 follow suit. Seconded by Councilwoman Hickman. Motion carried unanimously.

28
29 **Receive and File the 2020 Municipal General Election Results**

30
31 Councilwoman S. Wood moved to Receive and File the 2020 Municipal General
32 Election Results. Seconded by Councilman Saunders. Motion carried unanimously.

33
34 **Discussion and Approval of an Ordinance for a Rate Increase for the Sanitary**
35 **Board. (First Reading)**

36
37 Attorney White read the following ordinance by title only to be passed by council
38 on first reading:

39
40 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA**

1 **AMENDING THE EXISTING RATE SCHEDULES FOR THE SANITARY**
2 **DEPARTMENT OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA**

3 Councilman Remke asked if the Sanitary Board could separate the increase instead
4 of all at once. City Manager Healy advised the only item they could separate would
5 be the vehicle. However, it's less than 1%.

6 Councilman Remke asked what the dollar amount increase will be for residents and
7 commercial. Mark Abraham stated the residential increase would go from \$20.97 to
8 \$28.36 a month based on 4,500 gallons. The commercial would go from \$27.85 to
9 \$37.72 a month.

10 Councilwoman Hickman suggested the boards to look at rate increases every few
11 years so the increases are not as drastic to the residents.

12 Councilwoman Hickman moved to approve the above ordinance, seconded by
13 Councilwoman DeWitt. Mayor D. Wood called for a roll call vote. Secretary Scarbin
14 announced the following tally. 7 years. Motion carried unanimously.

15
16 **Discussion and Approval of an Ordinance for a Bond Issuance for the Sanitary**
17 **Board. (First Reading)**

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

21
22 **AN ORDINANCE AUTHORIZING THE ACQUISITION,**
23 **CONSTRUCTION AND EQUIPPING OF CERTAIN ADDITIONS,**
24 **BETTERMENTS AND IMPROVEMENTS TO THE SEWERAGE SYSTEM**
25 **OF THE CITY OF MOUNDSVILLE AND THE FINANCING OF THE COST,**
26 **NOT OTHERWISE PROVIDED, THEREOF THROUGH THE ISSUANCE**
27 **BY THE CITY OF MOUNDSVILLE OF SEWER REVENUE BONDS,**
28 **SERIES 2021, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO**
29 **EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)**
30 **DEFINING AND PRESCRIBING THE TERMS AND PROVISIONS OF THE**
31 **SERIES 2021 BONDS; PROVIDING GENERALLY FOR THE RIGHTS AND**
32 **REMEDIES OF AND SECURITIES FOR THE HOLDERS OF THE SERIES**
33 **2021 BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL**
34 **DOCUMENTS ELATING TO THE ISSUANCE OF SUCH BONDS; AND**
35 **PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT. (FIRST**
36 **READING)**

37
38 Councilwoman S. Wood moved to approve the above ordinance, seconded by
39 Councilman Saunders. Mayor D. Wood called for a roll call vote. Secretary Scarbin
40 announced the following tally. 7 years. Motion carried unanimously

1
2 **Discussion and Approval of an Ordinance of Moundsville Fire Code. (First**
3 **Reading)**

4
5 Attorney White read the following ordinance by title only to be passed by council
6 on first reading:

7
8 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
9 **WEST VIRGINIA, AMENDING THE CITY CODE OF THE CITY OF**
10 **MOUNDSVILLE, BY UPDATING AND RE-ADOPTING THE STATE FIRE**
11 **CODE**

12
13 Councilwoman Hickman moved to approve the above ordinance, seconded by
14 Councilwoman Hunt. Mayor Wood called for a roll call vote. Secretary Scarbin
15 announced the following tally. 7 yeas. Motion carried unanimously

16
17
18 **Discussion and Approval of an Ordinance to Revise the City’s DUI Code.**
19 **(First Reading)**

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

23
24 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE TO AMEND AND**
25 **RE-ENACT ARTICLE 333 OF THE CITY CODE RELATING TO**
26 **TRAFFIC OFFENSES, INCLUDING, BUT NOT LIMITED TO,**
27 **PROVIDING FOR THE OFFENSE OF DRIVING UNDER THE**
28 **INFLUENCE, PROVIDING FOR CRIMINAL PENALTIES, AND**
29 **PROVIDING FOR REVOCATION AND SUSPENSION OF DRIVERS**
30 **LICENSES IN THE MUNICIPAL COURT OF THE CITY OF**
31 **MOUNDSVILLE.**

32
33 Councilman Remke asked if this would make any difference in Municipal Court.
34 Attorney White stated this allows the City Judge to revoke drivers’ licenses, which
35 was done at the state level.

36 Councilman Saunders moved to approve the above ordinance, seconded by
37 Councilwoman DeWitt. Mayor D. Wood called for a roll call vote. Secretary Scarbin
38 announced the following tally. 7 yeas. Motion carried unanimously

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

2 *Councilwoman DeWitt – Stated residents has complained about cars blocking the
3 view at 1st Street and Morton Avenue.

4 *Councilwoman Hickman – Nothing at this time.

5 *Vice Mayor Hunt – Nothing at this time.

6 *Councilman Remke – Asked about the wrecked car sitting at 6th Street and
7 Jefferson Avenue. City Manager said he would have Chief Mitchell look into it.

8 *Councilman Remke – Asked about the hanging baskets in front of the
9 penitentiary. City Manager stated the Street Department has removed the hanging
10 baskets on Jefferson Avenue, but the Penitentiary was responsible for their own.

11 *Councilman Remke – Asked about the Comcast rate increase letter. City Manager
12 stated the letter was only for their information and there wasn't anything the City
13 could do in regards to the increase. Attorney White stated the contract was due to
14 renew in December 2021.

15 *Councilman Remke – stated the B&O taxes needed to be reviewed and reduced.

16 *Councilman Remke – The yellow line at 7th Street and Grant Avenue was painted
17 wrong. It should have been painted further down.

18 *Councilman Remke – Police cars have a new look. Chief Mitchell said the white
19 on the doors and roof are no longer available. They will now have a newer stripe
20 on the side and will be reflective.

21 *Councilman Saunders – Asked if the house decorating contest was set for
22 December 12th. Manager Healy asked Councilman Saunders to call him at the
23 office to discuss.

24 *Councilwoman S Wood – the Arts & Culture Commission will be having a drive-
25 thru event on December 18th from 6:30 – 8:30 PM in the Truist parking lot. Thank
26 you to the Street Department for putting the Christmas tree up and decorating with
27 lights.

28
29 **MAYOR ITEMS:**

30 *Mayor D. Wood - everyone received a City Manager evaluation in their packets.
31 Asked for everyone to complete the evaluation and will be discussed in executive
32 session at the December 15th City Council meeting.

33 *Mayor D. Wood - December 15th City Council meeting will have the selection of
34 City Mayor and Vice Mayor.

35 *Mayor D. Wood – Thank you for the department head reports

36 *Mayor D. Wood – Thank you for the Employee Appreciation Committee. It's
37 been successful.

38
39 **COMMITTEE REPORTS:**

40 The Finance sub committee will meet on December 8, 2020 at 5:00 PM followed

1 by the Traffic committee followed by the Policy committee.

2
3 **COUNCIL ITEMS:**

4 * Councilwoman DeWitt – Stated City Council has never allowed residents to have
5 permit parking. Does not feel we should allow a permit parking as it would open
6 bigger issues.

7 * Councilwoman Hickman – The text alerts through EMA were simple to sign up
8 for and encourages everyone to do so.

9 * Councilwoman Hickman – Encourages everyone to get tested for COVID. Thank
10 you to the Health Department and volunteers for working the testing.

11 * Councilwoman Hickman – Red Cross is in need of blood donation. Encourages
12 everyone to donate if they are able.

13 * Vice Mayor Hunt – Received thank you note from citizen on Highland Avenue
14 for fixing the sinking street. Extend appreciation to City Manager and City
15 Departments involved.

16 * Councilman Remke – Can banks do the bond issuance. City Manager stated no.
17 The bond counsel is a specialized form of attorney.

18 * Councilman Saunders – Asked when the new City Council members would be
19 sworn in. City Manager stated January 5th.

20 * Councilwoman S Wood – Nothing at this time.

21
22 Councilman Remke moved to adjourn, seconded by Councilwoman S. Wood.
23 Motion carried unanimously.

24
25 Meeting adjourned at 8:14 p.m.

26
27
28
29 _____
Kimberly Scarbin, Secretary

David Wood, Mayor