

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**
2 **MOUNDSVILLE, JUNE 18, 2019**

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4 The Council of the City of Moundsville met in Regular Session in the Council
5 Chambers on June 18, 2019 at 7:00 p.m.

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7 Meeting was called to order by Mayor Phil Remke who also gave the invocation.

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9 City Clerk Hewitt called the roll and the following Councilpersons were in
10 attendance: Dewitt, Haynes, Hunt, Saunders, Vice Mayor David Wood, S. Wood
11 and Mayor Remke. Also present were City Manager Healy, Public Works
12 Director Stocklask, Police Chief Mitchell, Asst. Fire Chief Kimple, Building
13 Inspector Richmond, Parks & Recreation Director White, CPA Goddard, Attorney
14 White and City Clerk Hewitt.

15
16 **MINUTES:**

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18 **Regular Council Meeting of June 4, 2019.**

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20 Councilperson Haynes moved to accept and approve the minutes of the regular
21 council meeting of June 4, 2019, seconded by Councilperson DeWitt. Motion
22 carried unanimously.

23
24 **PRESENTATION:**

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26 * City Manager Healy presented Councilperson David Haynes with the Letter of
27 Appreciation from City Council for his grandson, Luke McCauley, for his quick
28 thinking and assistance to his friend, who suffered injuring in a bicycle accident.

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30 **GENERAL PUBLIC HEARING:**

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32 * Carl Boso, 305 10th Street, again asked why Mr. Kudlak was not going to be
33 cited for illegal burning at his Twelfth Street property. Mayor Remke said that he
34 nor any council member is at liberty to discuss this matter with him.

35
36 * Sidney Wood, 659 Roberts Ridge, Moundsville, was upset because he received a
37 summons and citation for junk on his property at Ruby Street. He reported several

1 other residences with junk on the property that haven't received citation or letters.

2
3 **OLD BUSINESS:**

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5 **Discussion and Approval of an Ordinance Amending the Sanitation Code.**
6 **(Second Reading)**

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8 Vice Mayor D. Wood moved to approve the ordinance by title only to be passed by
9 council on second and final reading:

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11 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
12 **WEST VIRGINIA, AMENDING SECTION 953.10 OF THE CITY CODE**
13 **TO PROVIDE FOR AN INCREASE IN FEES AND IMPOSITION OF A**
14 **DUMPSTER RENTAL FEE FOR CERTAIN COMMERCIAL**
15 **CUSTOMERS. (SECOND READING)**

16
17 Vice Mayor D. Wood moved to approve the sanitation ordinance, seconded by
18 Councilperson DeWitt.

19
20 Mayor Remke called for a voice vote. City Clerk Hewitt announced the following
21 tally. 4 yeas, 3 nays. Haynes, Saunders and Mayor Remke voting nay. Motion
22 carried.

23
24 **Other Items to be Discussed by Council.**

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26 * Councilperson S. Wood asked Manager Healy for his update of how other cities
27 are using Home Rule? Manager Healy will email that information to council
28 members.

29
30 * Councilperson S. Wood asked council for the prioritized goals.

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32 * Councilperson S. Wood asked what the completion date is for the city's new
33 website? Manager Healy reported between 4-5 months.

34
* Councilperson Haynes asked for an update on Fostoria Bridge project. Manager Healy sent an email to District Engineer Dave Brabham asking for an update but has not heard back from him. However, the last contact with Mr. Brabham in

May, he said the new administration changed the funding process. Mr. Healy reminded Mr. Brabham the city committed our 10% local payment and we expect the state was going to continue to pay 90%.

* Councilperson Hunt asked if the 2018 paving list has been completed? Manager Healy reported Klug's had finished the paving.

* Councilperson Hunt reported several yard complaints of high grass look better.

* Councilperson Hunt asked if Manager Healy contacted the City of Wheeling to ask what they are doing under Home Rule better control policies? Manager Healy said he has not discussed anything with Wheeling Officials but said they have not done anything different up to this point.

* Vice Mayor Wood recommended discussing Strategic Planning at the next regular council meeting. Manager Healy suggested discussing this at the July subcommittee meeting determine if and how council want to move forward.

* Vice Mayor Wood suggested pictures of the new flag poles at the Riverfront to be included into the city's website page.

* Vice Mayor Wood asked if there was any more discussion to install another light pole on Jefferson Avenue Extension? Nothing more at this point.

* Vice Mayor Wood asked Parks & Recreation Director White how sign up for the sports academy is going? Director White said it was going very slow, but the kids that did participate had a great time. And the skate park is close to being open.

* Councilperson Saunders commended the Sanitary Board for doing a great job on Jason Drive.

* Councilperson Saunders asked if council, when a resident petitions the city to install a RV park on their 1 acre of property, does the 1 acre include or exclude their house because the code does not specify? Attorney Clyburn said he will pass this information onto Attorney White and advised him to have an answer for council at the next meeting. Councilperson Saunders noted the Zoning Appeals Boards approved property for an RV park that was less than 1 acre of ground.

Vice Mayor Wood discussed attorney's present for the Planning Commission and the Board of Zoning Appeals meetings should be well versed in the city's zoning codes. City Manager Healy feels board members should be required to attend some sort of training because the decisions they make have a huge impact on the city. Building Inspector Richmond added council's need to examine some other issues in the newly revised zoning code as well.

After further discussion, Councilperson Saunders moved to send to policy subcommittee review of the newly revised zoning code, seconded by Councilperson Haynes. Motion carried unanimously.

Councilperson S. Wood moved to also discuss at policy subcommittee, sending Planning Commission and Board of Zoning Appeal members to training classes, seconded by Councilperson DeWitt. Motion carried unanimously.

* Councilperson DeWitt expressed how nice the Flag Day parade was on June 14, 2019.

* Councilperson DeWitt reported a lot of positive feedback on the playgrounds and feels the city is moving in the right direction.

* Councilperson DeWitt asked Manager Healy to explain the process he has implemented for grass cutting. Manager Healy reported in the past, the Police Department would send letters. Manager Healy has drafted a letter to let the resident know they were in violation of the high grass ordinance and gave them 10 days to address the complaint. After 10 days if the grass is not cut, the Chief will send an officer who will write a citation to the resident.

NEW BUSINESS:

Discussion and Six Month Evaluation of the City Manager.

Vice Mayor Wood will provide council members with evaluation forms at the July policy subcommittee meeting, seconded by Councilperson S. Wood. Motion carried unanimously.

Discussion and Approval of Budget Revision #2 for the 2018-2019 General

Fund Budget.

Councilperson Haynes moved to approve the General Fund Budget Revision #2, seconded by Councilperson Saunders. Motion carried unanimously.

Discussion and Approval of Budget Revision #2 for the 2018-2019 Coal Severance.

Councilperson Saunders moved to approve the Coal Severance Budget Revision #2, seconded by Councilperson Hunt. Motion carried unanimously.

Discussion and Approval of a Resolution Authorizing the City Manager to Enter into Lease Purchase Agreements of Certain Items of Equipment for the City of Moundsville.

Councilperson Haynes moved to approve the resolution authorizing lease purchase agreements, seconded by Councilperson DeWitt. Motion carried unanimously.

Appointment to the City-County Library Board. (Council's Appointment)

City Manager Healy announced Mr. David Wood submitted a letter asking to be reappointed to the Moundsville-Marshall County Library Board. Moved by Councilperson Saunders to appoint David Wood for a 5 year term, seconded by Councilperson DeWitt. Motion carried unanimously.

Discussion and Approval of Employee Wage Increases as Recommended by the City Manager.

Councilperson S. Wood moved to approve the employee wage increases, seconded by Councilperson Saunders. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson DeWitt moved to hold an Executive Session at the close of the regular council meeting for personnel matters, seconded by Vice Mayor D. Wood. Motion carried unanimously.

* Councilperson Saunders reported trees around 1516 6th Street are pushing up the sidewalk and asked whose responsibility those trees are? Manager Healy reported the trees being the home owners responsibility.

* Councilperson Saunders reported trees overhanging in the alley behind 420 Clinton Avenue. Director Stocklask will have someone look at the tree tomorrow.

* Councilperson Hunt commended Parks & Recreation Director John White for doing a fantastic job with the city's parks. Resurfacing of the basketball courts and skate park looks great!

* Councilperson Hunt commended City Manager Healy for his fantastic job with communications of city events on social media.

* Councilperson Hunt moved to discuss at the policy sub committee regulations for texting while walking, seconded by Councilperson DeWitt.

Mayor Remke called for a voice vote. City Clerk Hewitt announced the following tally. 3 yeas, 4 nays. DeWitt, Hunt and D. Wood voting yea. Motion failed.

* Councilperson Haynes moved to discuss at finance sub committee the possibility of the city and council to be involved with a drug rehabilitation program, seconded by Councilperson Saunders. Motion carried unanimously.

* Councilperson S. Wood commended City Manager Healy promoting the city and events on social media. Also recommended Manager Healy become an administrator of the city's facebook page.

* Councilperson S. Wood asked Manager Healy for an update on the retainer from the WVU Law Clinic concerning dilapidated properties owned by the state located in the City of Moundsville. Manager Healy said he will sign the retainer since the Attorney White reviewed and approved it. The retainer will allow the city to use the land use clinic when the building inspector has questions on certain specific dilapidated properties. Properties owned by entities other than individuals such as estates, county administered and state owned properties.

* Councilperson S. Wood said the city parks look great and asked if there were any plans for Park View playground? Director White reported the kiddie play zone will be replaced with engineered wood fiber, and capulate the swing set, sliding board with the kiddie zone; plans of possibly building a pickle ball court at the park in the future. Hopes to revitalize the Riverfront playground also with replacing the pea gravel with engineered wood fiber. The Boys Baseball Association is suppose to install a small playground at Valley Fork. Additions to East End playground are also in the works.

* Councilperson S. Wood provided an update of the Arts & Culture upcoming events. Councilperson Dewitt announced they hope to sponsor a movie night at the Riverfront Park. A “drive in” movie night where children will make cars from card board boxes and be judged on their design. Awards will be given for best car.

Ms. Wood announced another event planned is a band night on Jefferson Avenue similar to Wheeling’s first Friday event. They hope to work with UMAC so businesses could stay open for shopping, food and beer vendors.

Also, Ms. Wood reminded everyone to look out for the survey and share with as many people possible. The Arts & Culture committee wants to understand who is doing what in arts and culture in the area.

MANAGER ITEMS:

City Manager Healy provided the following report to council:

1. Update on the new software system: The front office has been accepting payments using the new computer software since June 3. Many of the original quirks that they discovered that day have been worked out. The overall implementation of the entire system has been slow. We did complete payroll today using both the old and the new system to check for any problems. I am hoping that in early July, we will see more of the modules brought on line. As I reported last month, I appreciate the extra work that the office staff has done to complete daily functions. As we all become more familiar with the system, things will move more efficiently.
2. Update on the East End project. In addition to the items I reported last time, the courts have been sealed, and new lines have been painted. Some of the

fencing work was started today, and John expects to have the hockey court up and running within the next two weeks. I have approved the addition of two additional cameras, which will give us complete clear vision of the playground and shelter. The playground, which continues to be busy, will have a ribbon cutting of the new equipment on this Thursday, at 10:30 AM. I would invite all of Council to attend, and please invite any children. The event will be held rain or shine, and we'll have light refreshments after the opening.

3. Although we just had a workshop this evening, based on the request from Council for a workshop to discuss strategic planning, goals, long-term budgets, etc., I will schedule one in July.

4. At the June Department Head Meeting, I asked all department heads to complete a five-year capital improvement budget worksheet for me. This will be the beginning of a long-range budget plan.

5. Today, I attended the groundbreaking of the Unified Bank at the corner of Seventh Street and Tomlinson Avenue. Mayor Remke, Councilperson DeWitt and Councilman Saunders also attended. I wholeheartedly welcome Unified to the Moundsville community.

6. Chief Brandon has asked me to inform Council of a training that the Fire Department is sponsoring called Hoarder Houses. The cost is \$25, and you have a flyer in front of you. Council is welcome, and encouraged to attend.

7. The June Business After Hours is this Thursday, June 20, at the Strand Theatre, starting at 5:00. Please call Marilyn tomorrow if you want to attend.

MAYOR ITEMS:

* Mayor Remke requested Manager Healy to contact Dave Brabham of DOH to install reflectors in the center and outer line of the turn from Rt. 2 onto Jefferson Avenue Extension.

* Mayor Remke welcomed Unified Bank to the City of Moundsville.

* Mayor Remke commended all city officials who attended the ribbon cutting at the East End Playground.

* Mayor Remke suggested Chief Mitchell organize a program for young adults to become police cadets. Chief Mitchell said he will discuss the matter with Manager Healy.

* Mayor Remke hopes camera's will be installed at all playground areas in the city.

* Mayor Remke reported adults playing on the playground equipment and reports

of smoking. Manager Healy said he discussed the issues with Chief Mitchell and instructed officers to make stops at the playground by walking through the areas.

* Mayor Remke informed Mr. Sidney Wood, who addressed council earlier in the meeting, that his properties are not the only ones the city is addressing. There is approximately 30 other reports.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Policy Committee.

1. Discussion of Sanford Center Request to Permit Alcohol at Fund Raising Events. Committee recommends the current lease be amended to remove the ban on the alcohol provision for Board Sponsored fund raising events with a permit from the City.

Vice Mayor Wood moved to approve the revised lease agreement with the Sanford Center to permit alcohol on the premises during board sponsored fund raisers, seconded by Councilperson Saunders. Motion carried unanimously.

2. Discussion of Moving Manager's Report in the Order of Business on Council Agenda. Committee recommends to change by resolution the order of business to place Manager's Report after General Public Hearing.

Mayor D. Wood moved to approve a resolution changing the order of business of city council meetings, seconded by Councilperson Saunders. Motion carried unanimously.

3. Discussion & Consideration of Naming Baseball Field at the Twelfth Street Complex After Bob Montgomery. Committee recommends to proceed with this pending a determination of which field this will be.

Councilperson Saunders moved to name #7 baseball field at Valley Fork after Bob Montgomery, seconded by Vice Mayor D. Wood. Motion carried unanimously.

4. Discussion of 159.08(b): Design Review Board Members Terms. Committee recommends ordinance be amended to include: three year terms for the six

members from individual specific entities, and two years for the two citizens at large.

Councilperson Saunders moved to direct the City Attorney to draft an amendment to the Design Review Board, seconded by Vice Mayor Wood. Motion carried unanimously.

Discussion and Approval of Recommendations by the Finance Committee.

1. Discussion of Budget Revision to Move Balance of Health Insurance Savings to Capitol Improvement Account. Committee recommends to approve budget revision. Councilperson Hunt moved to approve moving the balance of Health Insurance savings to Capital Improvement account, seconded by Vice Mayor D. Wood. Motion carried unanimously.

2. Discussion of Depositing all Additional Revenue Obtained by Data Max into Capitol Improvement Account. Committee recommends to approve. Councilperson Hunt moved to approve additional revenue be deposited into the Capital Improvement account, seconded by Councilperson Haynes. Motion carried unanimously.

3. Discussion of Donation to Sons of the American Legion Golf Scramble. Committee recommends donating \$50.00. Councilperson Hunt moved to approve donation of \$50, seconded by Councilperson DeWitt. Motion carried unanimously.

4. Discussion of Donation to Lupe Hewitt Memorial Golf Scramble. Committee recommends donating \$50.00. Councilperson Hunt moved to approve donation of \$50, seconded by Councilperson Haynes. Motion carried unanimously.

5. Discussion of Request from John Marshall Marching Monarch for Donation. Committee recommends donating \$50.00. Councilperson Hunt moved to approve donation of \$50, seconded by Councilperson S. Wood. Motion carried unanimously.

COUNCIL ITEMS:

- * **Haynes** - Nothing at this time.
 - * **D. Wood** - Nothing at this time.
 - * **DeWitt** - Moved for an executive session for personnel matters, seconded by Councilperson Saunders. Motion carried unanimously.
 - * **Saunders** - Nothing at this time.
 - * **Hunt** - Says she is ecstatic that Manager Healy is proposing a 5 year long term budget plan for the city.
 - * **S. Wood** - Hopes that department heads are included in the strategic planning process as well as the City Manager and Council.
- Council recessed at 8:20 for five minutes.
Regular session reconvened at 8:25 p.m.
Regular session recessed at 8:39 p.m.
Regular session reconvened at 8:39 p.m.
Vice Mayor Wood moved to adjourn, seconded by Councilperson S. Wood.
Motion carried unanimously.
Meeting adjourned at 8:40 p.m.

Sondra J. Hewitt, City Clerk

Phil Remke, Mayor