

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**
2 **MOUNDSVILLE**
3 **DECEMBER 1, 2015**

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5 The Council of the City of Moundsville met in special session in the Council Chambers
6 on December 1, 2015 at 6:00 PM.

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8 Meeting was called to order by Vice Mayor Gene Saunders.

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10 Acting City Clerk Ankrom called roll and the following Councilpersons were in
11 attendance: DeWitt, David Haynes, Paul Haynes, Hendershot, Simms, and Vice Mayor
12 Saunders. Absent was Mayor Wood, who is still in the hospital. Also present were City
13 Manager Hess, Building Inspector Richmond, and Attorney White.

14
15 **Consider the Second Appeal of Vacant Building Registration Code Violation for**
16 **Properties Located at 40 Fostoria Avenue and 203 Parriott Avenue, Owned by H Carl**
17 **Boso Jr**

18 H Carl Boso Jr explained he is still working on the houses at 40 Fostoria Avenue and 203
19 Parriott Avenue. Inspector Richmond provided Council with copies of pictures, Vacant
20 Building Fee notices, and Building Permits for both residences.

21
22 Inspector Richmond walked through the house at 40 Fostoria Avenue earlier today and
23 stated he saw significant improvements since his inspection in March 2015.

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25 Mr. Boso anticipates having 40 Fostoria Avenue ready to rent in two months. He expected
26 to have it ready before now but has limited time to work on the properties due to his
27 wrecker business. The houses were in very poor condition, and under threat of demolition,
28 when he purchased them; and he feels significant progress has been made on the
29 structures.

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31 Mr. Boso explained 203 Parriott Avenue will take longer, as he had to tear off the roof, as
32 well as the rear of the house to put in a new kitchen. Windows were also removed and are
33 boarded up for now.

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35 Mr. Boso reminded Council he works on the outside of his houses during the warmer
36 months in order to keep the property looking decent so the neighbors don't complain.

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38 Brief discussion was held on the difference between the Vacant Building Registration and
39 Uninhabitable Building Registration. Although Mr. Boso concedes to the vacancy of the
40 properties, he simply wants an extension on paying the fees, per Attorney White.
41 Councilman Hendershot opined that, in order for City Ordinances to have validity, they
42 need to be enforced by City Council.

1 Vice Mayor Saunders asked Inspector Richmond if exemptions have been granted, to
2 other property owners, in the past, to which Inspector Richmond agreed they have. Vice
3 Mayor Saunders then asked Inspector Richmond if all citizens are treated equally in regard
4 to the Vacant Building Ordinance enforcement, to which Inspector Richmond stated they
5 are.

6
7 Mr. Boso stated he does not want to be penalized, for taking the time to fix up his
8 properties to make them inhabitable, when residents in the City already live in worse
9 conditions and nothing is done.

10
11 Councilwoman DeWitt suggested giving Mr. Boso another two months to get 40 Fostoria
12 Avenue rented. However, the Vacant Building Registration Fee should be paid for 203
13 Parriott Avenue while work continues. Attorney White recommended making two
14 separate motions.

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16 Councilwoman DeWitt then made a motion to grant a two-month extension on 40 Fostoria
17 Avenue, which Councilman Hendershot seconded. Vice Mayor Saunders called for a roll
18 call vote, to which Acting Clerk Ankrom announced the following tally: five yeas, one
19 nay; Vice Mayor Saunders voting nay. Motion carried.

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21 Councilwoman DeWitt made a motion to allow work to continue on 203 Parriott Avenue,
22 with Mr. Boso paying the appropriate Registration Fees. Motion was seconded by
23 Councilman Paul Haynes. Vice Mayor Saunders called for a roll call vote, to which Acting
24 Clerk Ankrom announced the following tally: five yeas, one nay; Vice Mayor Saunders
25 voting nay. Motion carried.

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27 Councilman David Haynes made a motion to adjourn, which Councilman Paul Haynes
28 seconded. Hearing adjourned at 6:15 PM.

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Karen L Ankrom, Acting City Clerk

Eugene L Saunders, Vice Mayor