

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**
2 **MOUNDSVILLE, APRIL 19, 2022**

3
4 The Council of the City of Moundsville met in Regular Session in the Council
5 Chambers on April 19, 2022 at 6:00 P.M.

6
7 Meeting was called to order by Mayor Judy Hunt.

8
9 Invocation by Councilman Randy Chamberlain.

10
11 City Clerk Hewitt called the roll and the following Councilpersons were in
12 attendance: Chamberlain, DeWitt, Saunders, Vice Mayor Wood-Shaw, D. Wood
13 and Mayor Hunt. Absent: Wallace. Also present were City Manager Healy, City
14 Clerk Hewitt, Finance Director Ankrom, Treasurer Williams, Secretary Scarbin,
15 Chief Mitchell and City Attorney White.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of April 5, 2022.**

20 Councilman Chamberlain moved to approve the minutes of the regular council
21 meeting of April 5, 2022, seconded by Vice Mayor Wood-Shaw. Motion carried
22 unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * Connie Gillispie, 313 Sycamore Avenue, reported neighbors at 315 Sycamore
27 Avenue are feeding stray cats. The cats then go into her yard to do their business.
28 She hopes for support from council to do something.

29
30 * Carl Boso, 305 10th Street, said the Governor gave the city money for the fire
31 department and asked why the city will not give it to the fire department to
32 purchase lifesaving equipment? He also reported speeding on 10th Street and asked
33 why the police department isn't running radar? City Manager Healy said the
34 Governor did not give the city any money specifically for the fire department.
35 Chief Mitchell answered Mr. Boso by saying the police department is patrolling.

36
37 * Carol Goodnight, 214 Sandy Avenue, said she has lived at this address for 50
38 years and does feed the deer but only in the winter months. She feels the deer are
39 looking for food is why they have moved to residential areas. She also said deer
40 feces are not a health hazard.

1
2 * Larry Moore, 110 Sandy Avenue, said he has lived at his address for 40 years has
3 and also feed the deer. He reported feeding them 4 months out of the year. He
4 doesn't feel that feeding the deer is a problem.

5
6 * Rebecca Moore, 110 Sandy Avenue, said she enjoys feeding the deer. She
7 reported having more trouble with dogs and cats running loose than deer.

8
9 * Jade Goodnight, Cherokee Hills, said deer in residential areas is not a feeding
10 problem but a population problem. She suggested opening deer season in city
11 limits.

12
13 * Cheri Wilson-Long, Marshall County, suggested feeding the deer outside of city
14 limits, they will go wherever the food is. This could keep them out of the
15 residential areas.

16
17 **Tim Loper, BHM CPA Group – Presentation of the Audit Report Via Zoom.**

18 After Mr. Loper spoke to council on the audit report, Councilman Wood pointed
19 out on page 70, the last two paragraphs say, "As of June 30, 2021, the City was
20 NOT in compliance". He questioned if that page needs to be corrected? Mr. Loper
21 said the city IS in compliance and he will make the correction sending a
22 replacement page 70. He said the City received an unmodified audit, which is the
23 cleanest audit one can receive.

24
25 Mayor Hunt thanked City Manager Healy and Finance Director Ankrom for doing
26 a great job with the audit.

27
28 Councilman Chamberlain moved to receive and file the Year Ending June 30, 2021
29 Audit Report, seconded by Vice Mayor Wood-Shaw. Motion carried unanimously.

30
31 **CITY MANAGER ITEMS:**

32
33 **Personnel**

- 34 • There was one applicant for the firefighter test that passed. Due to the Chief
35 being on vacation last week, no interview was scheduled. That interview
36 should happen next week.

- 1 1. The city, partnering with the Marshall County FRN, will hold its second Food
2 Giveaway on April 27th. As always, I am asking a few employees to assist with
3 this wonderful community event.
- 4 2. Councilman Wood and I attended the Workforce Symposium held at the
5 Highland Event Center two weeks ago. There were numerous speakers discussing
6 ways to attract and keep employees. Among those were our own Vice-Mayor
7 Wood-Shaw who had a great presentation on the Jobs & Hope Program.
- 8 3. I attended the opening of the Special Olympics held at the John Marshall
9 Football Field last week.
- 10 4. Today, we received the notice of the First Quarter 2022 Municipal Sales Tax
11 payment. The collection was very strong, in fact it is the highest first quarter
12 collection we have had, coming in at \$493,608.95. This is over a 9% increase from
13 the first quarter of 2021.
- 14 5. In front of you this evening is a copy of the press release from State Auditor
15 J.B. McCuskey regarding Senate Bill 552. Auditor McCuskey championed this
16 bill which passed almost unanimously in the legislature. I will defer to Attorney
17 White to give a synopsis of this bill, which I see as a real game-changer and asset
18 to the municipalities. Attorney White said the bill will become effective in June,
19 2022 and will change the whole county tax sale structure in WV. Municipalities
20 now have a priority basis to buy delinquent land properties before they go to public
21 auction. In the past, the county would have a tax lien on a property the city
22 demolished, to later find out it was purchased for the tax lien causing the
23 municipality unable to recover their lien for the demolition. This bill is a win for
24 municipalities.
- 25 6. After receiving a few streets to be added to the paving list, Superintendent
26 Stocklask and I are in the process of prioritizing all of the streets in preparation for
27 bidding. Our rotation street this year is Grant Avenue. The Sanitary Board has
28 been inspecting lines under all of the streets and determined that the sewer line is
29 in poor condition. They are reviewing their options which will include
30 replacement, but most likely re-lining. This could be an expensive project and may
31 delay this street paving.
- 32 7. The Sanitary Board received the latest proforma financial statement from CPA
33 Marc Abraham, which indicates that a rate increase of approximately 25% is
34 needed. The new standard used is 3,400 gallons of usage. At that usage, the
35 current rate is \$22.75. A 25% increase would take that to \$28.44, an increase of
36 \$5.69. Currently the Sanitary Board's rates are the 21st lowest in the state out of
37 316 sewer utilities. This increase would take us only to the 55th lowest. With the

1 exception of Glen Dale, whose sewage we treat, all surrounding municipalities are
2 considerably higher, with the City of Benwood at \$56.85 for 3,400 gallons. The
3 Board ceased contributing to the new Working Reserve Capital Account, effective
4 in February in an effort to bolster their cash flow, which was really struggling.
5 This has helped but is only a temporary fix, as that contribution is mandated to
6 continue. As we all know, Sanitary is an Enterprise Account, which means it has
7 to be able to operate by the revenue that it receives. I am going to place this item
8 on the May Finance Sub-Committee Meeting to discuss. I will invite
9 Superintendent Castilow and CPA Abraham to the meeting. I will also supply
10 Council with all the pertinent information in your packets.

11 8. There will be a Special Council Meeting next Tuesday, April 26th, at 5:00 PM
12 for purpose of laying the levy. This will be a very quick meeting as that will be the
13 only agenda item.

14 9. There are numerous events coming up over the next couple weeks. This Friday,
15 April 22nd at 11:00 AM is the Ribbon Cutting for the new RV Park at Grand Vue
16 Park. Next Tuesday, April 26th at 4:00 PM is the Ribbon Cutting for the Osaka
17 Steakhouse, and Thursday, April 28th is a Business After Hours at the Marshall
18 County Co-op from 5:00 to 7:00 PM. Finally, Wednesday, May 4th is another
19 Business After Hours at John Marshall High School from 5:00 to 7:00 PM. Please
20 contact Kim if you would like to attend either of those events. Also, tentatively
21 scheduled for the second week of May are Ribbon Cuttings for Dunkin' and for
22 Burke's Outlet.

23 10. Openings still remain on the Board of Zoning Appeals, Historic Landmarks,
24 and the Building Commission. Please reach out to anyone that you think may be
25 interested in applying and ask them to contact me.

26
27 Mayor Hunt asked if any council members had questions for the City Manager:
28 * Vice Mayor Wood-Shaw asked if Manager Healy was still planning on a
29 Business After Hours at the Splash Pad? Manager Healy said we are scheduled for
30 the Business After Hours the 3rd Thursday in June. He also said we are hoping to
31 open the Splash Pad Memorial Day weekend.

32 * Vice Mayor Wood-Shaw asked when will we be advertising for the approved
33 ARPA funding programs? Manager Healy reported having to make a few minor
34 changes to some of the applications based on some wording that was not included.
35 Manager Healy is hoping for the 1st week of May as the kickoff. He would like to
36 do a press release first getting the information out to the newspapers and media
37 that details our programs, letting everyone know where they can get applications.

1 * Vice Mayor Wood-Shaw said it is great that we have so many businesses
2 opening in our community. She noted, however, that neither council nor the city
3 can dictate which businesses come into the city. She feels this is important for
4 people to know.

5
6 **NEW BUSINESS:**

7 **Discussion and Approval of an Ordinance that Prohibits Feeding Wild Animals**
8 **& Fowl in the City. (Second Reading)**

9 Attorney White read the following ordinance by title only to be passed by council
10 on second and final reading:

11
12 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
13 **WEST VIRGINIA, PROHIBITING THE FEEDING OF WILDLIFE IN THE**
14 **CITY, WITH LIMITED EXCEPTIONS. (SECOND READING)**

15 Councilman Chamberlain moved to approve the above ordinance, seconded by
16 Councilwoman DeWitt. 5 yeas, 1 nay. Saunders voting nay. Motion carried.

17
18 **Other Items to be Discussed by Council.**

19 * Councilman Wood moved to discuss the vacant and dilapidated structure ordinance
20 at the May policy meeting, seconded by Councilman Saunders. Motion carried
21 unanimously.

22 * Councilman Chamberlain asked if specs have been drafted for the three light poles
23 at East End? Manager Healy said specs have not been drafted yet but the engineers
24 provided an estimate to handle complete control of the selection, purchase, bidding,
25 installation and inspection of the poles. Manager Healy feels the quote was quite
26 expensive. He hopes to reach out to some other vendors and handle the bidding
27 process ourselves.

28
29 **NEW BUSINESS:**

30
31 **Discussion and Approval to Direct the City Attorney to Draft an Alley**
32 **Abandonment Ordinance.**

33 Councilman Saunders moved to direct the City Attorney to draft the alley
34 abandonment ordinance for Ash Avenue Church of God, seconded by Councilman
35 Chamberlain. Motion carried unanimously.

36
37 **Discussion and Approval of Moving Forward with the Rental Bicycle Program**
38 **with Movatik Using RV Park Funds.**

39 Vice Mayor Wood-Shaw moved to authorize the City Manager to move forward with

1 the Rental Bicycle program, seconded by Councilwoman DeWitt. Motion carried
2 unanimously.

3
4 **Discussion and Approval to Move \$25,000.00 in Survivor Benefits to**
5 **Unallocated Balance of the ARP Account.**

6 Councilman Wood moved to authorize \$25,000.00 to the unallocated balance of the
7 ARP account, seconded by Councilman Chamberlain. Motion carried unanimously.

8
9 **Discussion and Approval of Eliminating the Committee Chair from Reading**
10 **the Committee Minutes During the Regular Council Meeting.**

11 Councilman Chamberlain moved to eliminate reading the committee minutes at the
12 regular council meetings, seconded by Councilwoman DeWitt. Motion carried
13 unanimously.

14
15 **Appointment of Temporary Water Board Member.**

16 Councilwoman DeWitt moved to appoint David Wood as a temporary Water Board
17 member to fill the absence of Dennis Wallace, seconded by Councilman
18 Chamberlain. Motion carried unanimously.

19
20 **Discussion and Approval to Begin the Bidding Process for the New City**
21 **Building.**

22 City Manager Healy provided council with an update of the proposed city building
23 saying the basement was eliminated, second floor was expanded and a third floor
24 added for storage. There were a few changes that were required to be made such as
25 some components on the exterior of the building.

26
27 Councilman Chamberlain moved to authorize the bidding process for the new City
28 Building, seconded by Councilman Wood. Motion carried unanimously.

29
30 **Other Items to be Discussed by Council.**

31
32 **Legal Publications by Attorney White.**

33 Attorney White presented legal ads published in the Moundsville Daily Echo to be
34 received and filed by council. Councilwoman DeWitt moved to receive and file the
35 publications, seconded by Councilman Chamberlain. Motion carried unanimously.

36
37 **MAYOR ITEMS:**

38 Mayor Hunt said she had no items to discuss as everything on her list was already
39 discussed.

1 **COMMITTEE ITEMS:**

2
3 **Reports by the Finance Committee.**

4 Councilman Chamberlain reviewed the minutes of the April 12, 2022 finance
5 meeting.

6 **Reports by the Traffic Committee.**

7 Councilman Saunders reviewed the minutes of the April 12, 2022 traffic meeting.

8 **Reports by the Policy Committee**

9 Vice Mayor Wood-Shaw reviewed the minutes of the April 12, 2022 policy meeting.

10
11 **COUNCIL ITEMS:**

12
13 * **Wood-Shaw** – Reminded everyone of two up and coming Arts & Culture Events
14 June 4 “Welcome to Summer Movie Night” at East End Park. Movie will be chosen
15 by citizens. June 17 is return of the “Jefferson Friday” MSM will be performing and
16 the Strand Theatre is on standby for rain location.

17
18 Councilman Chamberlain moved to adjourn, seconded by Councilman Wood.
19 Motion carried unanimously.

20
21 Meeting adjourned at 7:28 p.m.

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25
26 _____
Sondra J. Hewitt, City Clerk

Judy Hunt, Mayor