

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
NOVEMBER 17, 2015**

The Council of the City of Moundsville met in regular session in the Council Chambers on November 17, 2015 at 7:00 p.m.

Meeting was called to order by Vice Mayor Eugene Saunders.

Invocation by Councilperson Allen Hendershot.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, D. Haynes, P. Haynes, Hendershot, Simms and Vice Mayor Saunders. Absent: Mayor David Wood. Also present: City Manager Deanna J. Hess, Police Chief Mitchell, Firefighter Gary Brannon, Street Commissioner Stocklask, CPA Kathryn Goddard, Attorney Thomas White, and City Clerk Hewitt. Absent: Fire Chief Clarke.

**PRESENTATION:**

Vice Mayor Saunders presented Aletha DiRemigio & Sue Daughtery certificates of appreciation when their husbands, Ralph DiRemigio and Bill Daughtery, served as Mayor's for the City of Moundsville.

**MINUTES:**

**Regular Council Meeting of November 3, 2015.**

Councilperson DeWitt moved to accept and approve the minutes of the regular council meeting of November 3, 2015, seconded by Councilperson Simms. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

\* Charles B. Coffield, 1812 Fourth Street, informed council he was having trouble with a citizen stocking him and harassing his family. The man has had numerous charges of battery, domestic violence and harassment. He said he has reported this to the police departments to no avail.

\* Donald Bonnette, 113 Morton Avenue, said he called police because a truck was parked on the yellow line, officers responded but did nothing about the truck.

Chief Mitchell said he spoke with responding officer who said the people were moving into the residence and were parking there to unload their items. Officers didn't feel it was a problem since they would not be parked there very long.

\* Jamie Robinson, 59 Forever Drive, said her daughters are members of the dance studio and feels the Sanford Center is a great place for children to participate in activities. Hopes council

reconsiders the zone change issue.

\* William Burkett, 1607 3<sup>rd</sup> Street, said he has lived on 3<sup>rd</sup> Street for 69 years but feels there is a parking problem. Several times people have blocked his driveway.

\* Carl Boso, 305 10<sup>th</sup> Street, said council gave him an extension from the Vacant Housing Registration list to fix his two houses and he received a letter from the Building Inspectors saying he was put back on the list.

Attorney White said Mr. Boso was given an extension of 6 months to work his vacant houses, his 6 months has expired, so he was placed back on the registration list.

Since this request was not on the agenda, Councilperson Simms made a motion to discuss Mr. Boso's request and vote on the next regular meeting, seconded by Councilperson P. Haynes. Motion carried unanimously.

Councilperson Hendershot asked Mr. Boso to provide evidence that he has been working on the houses, such as permits.

\* Noah Bergen, 36 Kings Drive, owner of Teaching Tae Kwon Do, said the Sanford Center is a safe environment for the many students who attend his class as well as the dance studio and other businesses located inside the Sanford Center.

\* Aleta Ross, 103 Olive Avenue, owner of Tranquil Touch also located at the Sanford Center. Previous location was Wheeling which was not very successful. Relocating at the Sanford Center with a large amount of clientele. She as well as her clients feel the Sanford Center is a safe location. She also provides wellness classes and detox.

\* Councilperson Simms said he didn't understand why the citizens were speaking as if council was going to close the Sanford Center.

Attorney White said the zoning was brought to council's attention as being a residential zone, so businesses can not locate in a residential zone unless they appear before the Planning Commission. Some Sanford Board appeared before the Planning Commission as well as neighboring residents who did not want the zone to change. The recommendation was brought before council saying they were denying the request.

\* Councilperson Hendershot said it was his opinion that as long as there was educational programs in the Sanford Building zoning would fit the requirements of a school. He would expect council to deny the zone change as council usually follows the recommendation by the Planning Commission. He would like to think that council would consider what the Sanford Center Board has done for the community. Their goal is to be good neighbors and provide activities to the children.

\* Councilperson DeWitt said when citizens have spoke with her, their complaint was not with the Sanford Center, it was worrying about the kids running out into the traffic and the last event with bands and alcohol.

\* Jack Prettyman, Glen Dale resident, said his grandson attends the karate school and hopes the Sanford Center stays open to continue providing youth functions to the community.

\* Aaron McElfresh, 1518 Third Street, said the community is not against the Sanford Center and what they stand for but they are against the zone change.

\* Candy Dobbs, 35 Jones Street, as a Board Member she wants to be a good neighbor and said the board does not want to lose the center. They hope to find a common ground with council. The Board Members will be changing their bi-laws due to the last event held at the center.

\* Vice Mayor Saunders informed Ms. Dobbs the complaints that he received was due to the loud bands playing until 1:30 a.m., the intoxicated event goers and urinating in public. Ms. Dobbs said the band was supposed to play until 11:00 p.m. and clean up from 11:00 p.m. to 1:00 p.m. She assured council this type of problem will never happen again.

\* Christy Cianelli, 290 View Point Lane, Wheeling, Board Member representing the Sanford Center. Hopes that council consider zoning to benefit all parties involved.

\* Darren Wise, 215 Cedar Avenue, speaking for the residents of Cedar Avenue. Thanked the Sanford Center for providing services to the children. Hopes the Sanford Center continues to provide these services. However, does not approve of the events (bands) playing until all hours of the night, the alcohol and urinating in parking lot.

\* Suzette Anderson, 215 Blaney Avenue, said she is hoping to purchase a house in the Sanford Center neighborhood but does not want her house to lose property value if the zoning is changed.

\* Hazel Smith, 2006 Fourth Street, said she is happy the youth is using the Sanford Center but noted the seniors also use the center. Every Monday, Wednesday & Friday seniors meet at the center to walk.

\* Della Deskins, 318 Olive Avenue, original Board Member, presented council with a petition showing over 200 names of people who attended the indoor yard sale at the center who want the Sanford Center to remain open.

Councilperson Simms made a motion to receive and file the petition, seconded by Councilperson DeWitt. Motion carried unanimously.

\* Chris Thomas, 1701 Third Street, feels there has been a lot of misinformation and rumors about the center. However, nobody in the neighborhood wants commercial zoning at the Sanford Center. Council and the Sanford Center need to find a common ground for that property. Residents want educational events at the center.

Councilperson DeWitt made a motion to receive and file the petition, seconded by Councilperson Hendershot. Motion carried unanimously.

Councilperson D. Haynes asked Attorney White if the Sanford Center has to be zone commercial for a parking lot? Attorney White said he was not sure of the answer to that question. He would like to look into the zoning further before making that assumption. There is a way to permit minor businesses in that facility that are not educational. He asked council to refer this to committee so he would have time to research this.

Councilperson DeWitt made a motion to table the recommendation of the Planning Commission, seconded by Councilperson P. Haynes for discussion.

Councilperson Hendershot said speaking as a board member and councilperson, the board was in error when they signed to allow that group use the facility. The board has taken steps to ensure that problem does not happen again. But he would like to see council take action on the recommendation by the Planning Commission because he does not feel the board or the community want this zone change, they want a compromise.

Vice Mayor Saunders called for a voice vote. 3 yeas, 3 nays. D. Haynes, Hendershot and Simms voting nay. Motion failed due to a tie vote.

Vice Mayor Saunders called for 5 minute a recess.

Meeting recessed at 8:05 p.m.

Meeting reconvened at 8:11 p.m.

Councilperson Hendershot said, after conferring with Attorney White, he made a motion to table the recommendation by the Planning Commission until the zoning could be discussed at the Policy Committee meeting on December 8, 2015, seconded by Councilperson D. Haynes. Motion carried unanimously.

## **OLD BUSINESS:**

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

\* Councilperson DeWitt asked if City Manager Hess was able to speak to anyone on the traffic control problem and the flow of traffic. Manager Hess said someone is suppose to get back with her on helping to fund an officer for traffic control.

\* Councilperson DeWitt asked if Manager Hess was able to get hours changed for the project on Lafayette Avenue. Manager Hess said she had a press release to read.

\* Councilperson D. Haynes said the Marshall County Commission mentioned that council should speak with Butch Inlan of Frames and Fortune regarding the Fostoria Property. Mr. Inlan suggested contacting colleges to see if they might be interested in the property.

#### **NEW BUSINESS:**

**The Moundsville Planning Commission recommends to Council of the City of Moundsville the Request for a Zone Change be Denied at 1600 Third Street (Sanford Center) from “R-U” Urban Residential District to “C-N” Neighborhood Commercial District.**

Item was tabled until the December 8, 2015 Policy Committee meeting.

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

\* Councilperson DeWitt said she noticed the Gonchoff building beside the Police Department had been tore down and would like to see the city have the exposed side of their building sand blasted and painted.

Chief Mitchell said the building was just tore down. The plan is to have someone access the outside of the structure.

Councilperson Hendershot said he would like to see a mural on the side of the building with police related pictures.

Councilperson Simms asked Manger Hess to contact Gonchoff’s to see if they are willing to sell the property or what they are going to do with it. Manager Hess said she has been in contact with Gonchoff’s.

\* Councilperson Hendershot reminded council to support UMAC on the Avenue Saturday, November 28, 2015 for their annual winter festival.

\* Councilperson Hendershot said he would like to see improvements to the police department lobby, carpeting and new doors, etc. Hendershot made that in the form of a motion, seconded by Councilperson Simms. Motion carried unanimously.

#### **MANAGER ITEMS:**

\* City Manager Hess read a news release she received from the WV Department of Highways concerning WV Rt.2 Bridge Project. It states: The WV DOH advises that effective Wednesday, November 18, 2015 through Wednesday, November 25, 2015 WV 2 in Moundsville will have lane restrictions between 5<sup>th</sup> Street and Jefferson Avenue Extension. The slow lanes in both directions will be restricted from 7:00 p.m. until 6:00 a.m. The lane restrictions are necessary for crews from AECOM to perform exploratory core drilling for future project design. Motorists are advised to reduce speed and expect delays in this area. Inclement weather or

unforeseen circumstances could change the project schedule.

\* Manager Hess announced “Business After Hours” is scheduled Wednesday, December 2, 2015 from 5:00 to 6:30 p.m. at the Moundsville Training Center. The Christmas Tree Gala will follow Business After Hours.

\* Manager Hess thanked all the department for doing everything she asks of them and also thanked council for their support. She asked everyone to keep Mayor Wood in their prayers and thoughts.

\* Wished everyone a Happy Thanksgiving.

### **MAYOR ITEMS:**

\* Vice Mayor Saunders asked everyone to send prayers to Mayor Wood.

\* Vice Mayor Saunders asked for an update on the Thorn Avenue house. Manager Hess said she is moving forward with the demo of the property.

### **COMMITTEE ITEMS:**

#### **Discussion of Recommendations by the Finance Committee.**

1. Discussion of Presentation from Utility Service Partners. Committee recommends the City Manager and Attorney White work on the language in the letter and present it to council.

Vice Mayor Saunders made a motion to recommend the City Manager and City Attorney work on the language in the letter with Utility Service Partners, seconded by Councilperson Simms. Motion carried unanimously.

2. Discussion of Request for Donation to 2016 JMHS Pride Year Book. Committee recommends to donate \$50 to the JMHS Pride Year Book.

Vice Mayor Saunders made a motion to donate \$50 to the JMHS Pride Year Book, seconded by Councilperson DeWitt. Motion carried unanimously.

3. Discussion of Request for Donation to Advertise in the 2015-2016 Monarch Basketball Program. Committee recommends to donate \$50 to the Monarch Basketball Program.

Vice Mayor Saunders made a motion to donate \$50 to the Monarch Basketball Program, seconded by Councilperson P. Haynes. Motion carried unanimously.

4. Discussion of Sponsoring 2016 Fireworks Display. Committee recommends City Manager to Proceed with 2016 Fireworks Display.

Councilperson Simms made a motion to direct the City Manager to proceed with the 2016 Fireworks display, seconded by Councilperson DeWitt. Motion carried unanimously.

5. Discussion of Christmas House Decorating Contest. Committee recommends to continue sponsoring house decorating contest. Contest will be on December 10, 2015 and awards will be presented at the December 15, 2015 regular council meeting.

Vice Mayor Saunders made a motion to sponsor house decorating contest, seconded by Councilperson DeWitt. Motion carried unanimously.

6. Discussion of Donation Request to Kids, Cops & Christmas from Moundsville FOP. Committee recommends donating \$100 to the Moundsville FOP.

Vice Mayor Saunders made a motion to donate \$100 to the Moundsville FOP for Kids, Cops & Christmas, seconded by Councilperson Simms. Motion carried unanimously.

Councilperson Simms feels this program is so important and made a motion to budget enough money to sponsor 3-5 kids next year, seconded by Councilperson Hendershot. Motion carried unanimously.

#### **Discussion of Recommendations by the Policy Committee.**

No recommendations at this time.

#### **Discussion of Recommendations by the Traffic Committee.**

1. Discussion of Parking on Jefferson Avenue in Front of Former Penitentiary. Committee recommends asking MEDC to allow parking in the rear of prison and at the south end of the prison.

City Clerk Hewitt will bring matter before the MEDC meeting on Tuesday, November 24, 2015.

2. Discussion of Free Meter Parking During the Holiday Season in Uptown Business District. Committee recommends free meter parking starting November 30, 2015 through January 4, 2016, excluding parking meters around the Marshall County Court House.

Councilperson Simms made a motion to offer free meter parking November 30, 2015 through January 4, 2016, seconded by Councilperson DeWitt. Motion carried unanimously.

3. Member Hendershot asked the City Manager to contact the WV Department of Highways to discuss with them the possibility of splitting the cost with the city of an off duty officer for traffic control during rush hour. Councilperson DeWitt agreed with Mr. Hendershot stating traffic is terrible. Committee recommends Manager to contract DOH.

City Manager Hess has called the DOH but hasn't heard back from them.

4. Vice Mayor Saunders recommended giving employees Thursday, December 24, 2015 & Thursday, December 31, 2015 the whole day off instead of ½ days. Committee recommends to give December 24 & December 31 as full days off for Christmas & New Years.

Councilperson Simms made a motion to give employees full days off for Christmas Eve and New Year's Eve, seconded by Councilperson DeWitt. Motion carried unanimously.

**COUNCIL ITEMS:**

\* **P. Haynes** - Reported the shelter roof at Park View has blown off. Manager Hess said Recreation employees fixed the roof.

\* **DeWitt** - Asked everyone to please keep Mayor Wood in your thoughts & prayers.

\* Happy Thanksgiving.

\* **Hendershot** - Said he worked with Mayor DiRemigio and Mayor Daugherty who both had the best possible consideration for the city. He feels the recognition was more than appropriate for both of them.

\* **Simms** - Said his prayers and thoughts are with Mayor Wood and hopes he has a speedy recovery.

\* Wished everyone a Happy Thanksgiving.

Councilperson Simms made a motion to adjourn, seconded by Councilperson P. Haynes. Motion carried unanimously.

Meeting adjourned at 8:43 p.m.

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Sondra J. Hewitt, City Clerk

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Eugene Saunders, Sr., Vice Mayor