





MOUNDVILLE, WEST VIRGINIA

CLERK'S OFFICE 304-845-3394
CITY MANAGER 304-845-6300
FIRE DEPT 304-845-2050
CLERK FAX 304-845-7130

September 8, 2015

Municipal Home Rule Board
West Virginia Development Office
State Capitol Complex
Building 6, Room 553
Charleston, WV 25305-0311

Dear Members of the Municipal Home Rule Board:

On behalf of the citizens and elected leaders of Moundsville, I thank you for your consideration, in advance, of our city re-application to participate in the Pilot Program for Home Rule. This is an exciting new approach for our State that recognizes the strong and close connection between municipal governments and the people they serve in cities throughout West Virginia. In Moundsville, we have tried our best to model a responsible approach to this application as a way to demonstrate the home rule will make a positive difference on the lives of people who live, work and invest in our city.

In the pages that follow, you will learn more about the areas of governance and self determination where we think added responsibilities at our city government level can produce positive change in our efforts to improve the quality of life in our municipal area.

We recognize that, as you give us the ability to move forward, we do so with a commitment to wide open and honest discussions about every issue included before any changes might be made. As several media reports have demonstrated, Moundsville's application process itself produced a lot of public discussion on a wide range of issues before our City Council drafted the proposal before you.

Thanks again for your role in making government more effective and responsive. If I can provide any additional insights about this application or the City's plans to use this opportunity for positive results in Moundsville, please do not hesitate to contact me.

Sincerely,

Deanna J. Hess
City Manager

Municipal Home Rule Pilot Program Phase III APPLICATION

SECTION I: APPLICANT INFORMATION	
A. General Information	
Name of Municipality: Moundsville	
Certifying Official: Deanna Hess	Title: City Manager
Contact Person: Deanna Hess	Title: City Manager
Address: 800 Sixth Street	
City, State, Zip: Moundsville, WV 26041	
Telephone Number: (304) 845-6300	Fax Number: (304) 845-7130
E-Mail Address: dhess@cityofmoundsville.com	
2010 Census Population:	
B. Municipal Classification	
<input type="checkbox"/> Class 1 <input type="checkbox"/> Class II <input checked="" type="checkbox"/> Class III <input type="checkbox"/> Class IV	
C. Category of Issues to be Addressed (please attach descriptions for applicable categories)	
<input checked="" type="checkbox"/> Tax <input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel	

SECTION II: NARRATIVE (written plan, including the following)
<p>Specific state laws, policies, acts, resolutions, rules or regulations that are preventing the municipality to carry out duties in the most cost effective, efficient, and timely manner.</p> <p>Specific problem(s) created by the laws, policies, acts, resolutions, rules or regulations.</p> <p>Proposed solution(s) to the perceived problem(s), including all proposed changes to law, policies, acts, resolutions, rules or regulations. Categorize and include:</p> <ol style="list-style-type: none"> 1) Proposed solution(s) in one of the four areas (tax/administrative/organization/personnel) 2) Estimate(s) for proposed solution(s) and how the fiscal impact was determined. Example: Estimated reduction of administrative time and costs = X. Please attach the worksheet or formula used to determine "X" amount.

SECTION III: AFFIDAVITS
Hearing Mandate Verification Publication Mandate Verification Ordinance Authorizing Submission of Plan Fiscal Impact Worksheets/Formulas Feasibility Study (if taxes are proposed) Attorney Opinion (application complies with statutory requirements) State of West Virginia Fees Statement (none outstanding) Agreement to Requirements Statement (firearms, ammunition and firearm accessories)

Requirements Concerning Firearms, Ammunition and Firearm Accessories

Definitions: As used in this subsection:

- (A) Ammunition means fixed cartridge ammunition, shotgun shells, the individual components of fixed cartridge ammunition and shotgun shells, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.
- (B) Firearm accessory means a device specifically designed or adapted to enable the wearing or carrying about one's person, or the storage or mounting in or a conveyance, of a firearm, or an attachment or device specifically designed or adapted to be inserted into a firearm to enable, alter or improve the functioning or capabilities of the firearm.
- (C) Firearm has the same meaning as in W. Va. § 61-7-2.

General Rule:

- (A) Municipalities participating in the Municipal Home Rule Pilot Program may not restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any revolver, pistol, rifle, or shotgun, or indirectly prohibit the ownership of the ammunition, or, to restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any other firearm accessory or accouterment, under any order, ordinance or rule promulgated or enforced by the municipality. This rule may not be construed to prevent any law enforcement official with appropriate authority from enforcing any statute enacted by the state.
- (B) The authority of a municipality to regulate firearms, ammunition, or firearm accessories may not be inferred from its proprietary authority, home rule status or any other inherent or general power.
- (C) Any existing or future orders, ordinances, or rules promulgated or enforced in violation of this subsection are null and void.
- (D) A municipality may regulate the carrying of a firearm in municipal buildings dedicated to government operations, other than parking buildings or garages.

Applicability and Effective Dates:

Ninety days after a new municipality has been selected by the Board to participate in the pilot program, or a previously participating municipality has chosen to continue to participate in the pilot program, any municipal gun ordinances previously authorized by the provisions of section five-a, article twelve, chapter eight of this code shall no longer be of any force or effect for any municipality participating in this program, to the extent they are in conflict with the provisions of this subsection: Provided, that no provision in this subsection may be construed to limit the authority of a municipality to restrict the commercial use of real estate in designated areas through planning or zoning ordinances.

Certifying Official Signatures	
City Manager:	_____
Mayor:	_____

conditions. The City proposes that it be permitted the flexibility to determine rates, classifications and exemptions with regard to its B&O tax structure so long as those determinations are consistent with local needs and reasonable economic policies; except that no B&O Tax will be imposed on any insurance company, or any non-profit company or other charitable, religious or fraternal organization which are currently exempt under *W.Va.Code* §11-13-3 or §11-24-5(b) or under 110 CSR Series 16 Sec 3.

3. Sales Taxing Authority (Taxing). Presently, there is no authority or means, except pursuant to recently-enacted legislation for home rule participants only, to reduce B&O taxes viewed as archaic, by replacement with another means of more fair taxation. Moundsville's retail business is prospering and is able to support a small increase in sales tax which could replace B&O revenues. This is especially true given the influx of workers from the oil and gas industry who utilize city streets, fire and police protection, and other services while not necessarily being city residents, and certainly not subject to B&O or other municipal taxes and fees.

The City proposes implementing a one percent (1%) sales tax and the City Finance Director estimates that it would annually produce an approximate estimated \$719,085, permitting a fair reduction in B&O taxes.

4. Consolidation and Reduction of Business Licenses (Administrative). Presently, the city has 45 categories of licenses for various businesses conducted within corporate limits. A reduction and consolidation of licenses into broader classes for businesses would permit a reduction in paperwork, reduction of administrative time and costs, and present a

less confusing array of red tape for businesses to surmount, in what is essentially a registration activity that is not intended to generate high revenue.

5. Dilapidated Structure Remedies (Administrative) — Presently, state law (*W.Va.Code* §8-12-16), permits municipalities to “adopt ordinances regulating the repair, alteration, or the vacating and closing or removal or demolition . . . of any dwellings or other buildings unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities or any other conditions . . . which would cause such dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare.” This does not allow municipalities to address problems with property maintenance that detract from the neighborhood or constitute eyesores but do not yet constitute a threat to public safety. Additionally, *W.Va.Code* § 8-12-16 limits the lien amounts municipalities may assess for repairing or demolishing a structure to the assessed value of the property.

Further, the City, through its City Code delegates the duty to maintain sidewalks to abutting property owners and establishes a process by which the City may order such owner to repair a sidewalk. Upon failure to do so, and after proper notice to the property owner, the City may undertake the repair of sidewalks and assess the abutting property owner with the cost of the repairs. Collection thereof would require litigation. There is no authority under West Virginia law for the City to attach a lien to the property absent obtaining court judgment, and it is possible that *W.Va.Code* § 8-13-13 may prohibit the City from attaching a lien for sidewalk repairs.

Thus, it is proposed that the City be given the power and authority, after due notice

to the owner or owners of property which is not being properly maintained, to enter the property and to repair, alter or demolish the property, and/or to mow unkempt grass to ensure that the property does not detract from the neighborhood and deteriorate further. The cost of that rehabilitation would constitute a lien against the property without the necessity of obtaining a court order. Additionally, the City proposes that it be permitted to attach a lien without first obtaining a court order in those situations in which the City has repaired a sidewalk after providing notice and an opportunity for a due process hearing.

Respectfully submitted,

City of Moundsville

**PILOT HOME RULE PROGRAM
PHASE III**

APPLICATION PLAN

OF THE CITY OF MOUNDVILLE

Categories of Issues to be Addressed

1. Delinquent Fees (Administrative)
 - (a) Hold hearings at the city level to facilitate collection of delinquent fees owed to the city with a right of appeal to the court system;
 - (b) Allow city to lien against property owned by person/entity owing delinquent fees for city services without the necessity of obtaining a court order;
 - (c) Publication of delinquent accounts.

2. B&O Taxing Authority (Taxing) — Permit City to determine rates, classifications and exemptions for B&O taxes.

3. Sales Taxing Authority (Taxing) — Permit City to impose a retail sales tax concomitant with permitting the reduction in B&O taxes.

4. Consolidation and Reduction of Business Licenses (Administrative) — Permit City to reduce the number of city business licenses from 45 categories to only a few.

5. Dilapidated Structure Remedies (Administrative) — Permit City to make repairs to eyesore nuisances such as dilapidated structures, unsafe properties, and deteriorated sidewalks with the cost of repairs becoming lien on the property.

CITY OF MOUNDSVILLE MUNICIPAL HOME RULE PLAN

PREAMBLE. The following proposed Municipal Home Rule Plan lists additional powers for the City of Moundsville (the "City") which will, if approved, enhance and improve the ability of the City to meet its present and future obligations. Provided the City is granted these additional powers, it will have the opportunity to improve its management, provision of services and the quality of life of its citizenry, and will further promote growth and prestige of our state.

THE PLAN. Pursuant to *W.Va. Code* §8-1-5a, the City hereby proposes the following Municipal Home Rule plan:

1. Delinquent Fees. (Administrative) Presently, the City's only remedy for collecting delinquent fees under *W.Va.Code* § 8-13-13 and § 8-13-15 is instituting a civil action in a court of competent jurisdiction. Currently, *W.Va.Code* § 8-13-13 precludes municipalities from attaching a lien on property as security for unpaid fees. This results in expensive proceedings in either Magistrate or Circuit Court, often to collect amounts which do not justify the filing fees involved. It is proposed that the City be given the power and authority to hold and conduct hearings at the City level in a manner similar to the authority which a municipality presently has to collect delinquent business and occupation taxes. The affected person or business would be entitled to appeal the decision by the municipality to Circuit Court. Once the decision by the City becomes final, the City would be authorized to file and record a lien against the judgment debtor with the county clerk.

In addition, *W.Va. Code* § 11-10-5d and case law interpreting this section currently prohibit the disclosure of any information received by the City Collector in connection with B&O taxes and arguably city service fees. Consistent with Marshall County's long-standing practice of publishing delinquent real and personal property tax information, the City would like to be able to publish, in the medium of its choice, very limited information, specifically name, tax year(s) and amount(s) owed, for persons or businesses with delinquent B&O taxes or city service fees. The County's publication assists in the collection of its delinquent taxes, and the City would like to employ the same tool to assist in its collection efforts.

The City currently has in excess of \$253,000.00 in fees that are delinquent 90 days or more. Much of them many more than the 90 days. The City estimates that, if it is permitted to implement the collection procedures outlined above, it can proceed to collections more quickly, as a hearing process established by a prospective ordinance would streamline the procedure as compared to filing a case in magistrate court to be placed on a crowded docket, not to mention the savings in filing and service of process fees. Additionally, the City estimates that under streamlined procedures, collections may increase by as much as thirty to thirty-five percent, thereby generating additional revenue.

2. B&O taxing authority. (Taxing) Presently, the City is limited by *W.Va. Code* §8-13-5 and related laws in tax classifications, exemptions and maximum rates related to the City's imposition of B&O taxes. The current maximum rates were set by the state in 1959 and no longer reflect current economic conditions. Similarly, the current mandatory classifications and exemptions under state law were adopted and modified by the state between approximately 1921 and 1987, are antiquated, and restrict the City's ability to generate necessary financial resources in a manner that is consistent with current economic

Thomas E. White
Attorney at Law

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fax: (304) 845-7016

604 Sixth Street
Moundsville, WV 26041

e-mail: twhite@lawyer.com

September 8, 2015

Municipal Home Rule Board
West Virginia Development Office
State Capitol Complex
Building 6, Room 553
Charleston, WV 25305-0311

CITY ATTORNEY OPINION LETTER

Re: City of Moundsville, West Virginia
Municipal Home Rule Pilot Program Application
Phase III

Members of the Board:

I am the city attorney for the City of Moundsville, West Virginia. I have reviewed various public records and documents provided to me by the City of Moundsville and I have examined the provisions of West Virginia Code §8-1-5a (the "Act"), concerning the West Virginia Municipal Home Rule Pilot Program, Phase II. I have been requested to render an opinion stating that the Application to be filed by the City of Moundsville complies with the requirements set forth in the Act.

As to questions of fact material to my opinion, I have relied upon the public records and documents provided to me by or on behalf of the City of Moundsville, without undertaking to verify the same by independent investigation. This opinion is rendered subject to the accuracy, completeness, and regularity of said public records and documents, the constitutionality of the legislation set forth in West Virginia Code §8-1-5a, and to any limitations provided by public policy or the exercise of judicial discretion in appropriate cases in regard thereto.

The City of Moundsville is a Class III municipal government. The City of Moundsville is submitting a West Virginia Municipal Home Rule Pilot Program Phase II Application pursuant to the Act. West Virginia Code §8-1-5a provides, in relevant part, as follows:

“(h) Prior to submitting its written plan to the board, the municipality shall:

- (1) Hold a public hearing on the written plan;
- (2) Provide notice at least thirty days prior to the public hearing by a Class II legal advertisement;
- (3) Make a copy of the written plan available for public inspection at least thirty days prior to the public hearing; and
- (4) After the public hearing, adopt a municipal ordinance authorizing the municipality to submit a written plan to the Municipal Home Rule Board after the proposed municipal ordinance has been read two times.”

A public hearing on the proposed written plan was held by the City Council of the City of Moundsville on August 18, 2015, as shown by the copy of the Moundsville City Council Minutes, enclosed with said Application. The City of Moundsville provided at least thirty days' notice of said public hearing by a Class II legal advertisement, as shown by the publisher's Affidavit of Publication issued by the Moundsville Daily Echo, reflecting that said notice was published two times commencing on July 10, 2015 and ending on July 17, 2015, a copy of which Affidavit of Publication is enclosed with said Application. A copy of the proposed written plan was available for public inspection at the Moundsville Municipal Building in the City of Moundsville during business hours for each business day for such period of thirty days following the first publication of said notice. After said public hearing, the City of Moundsville adopted a municipal ordinance authorizing the municipality to submit the written plan to the Municipal Home Rule Board after the proposed municipal ordinance was read two times, as set forth in the Ordinance adopted by the Council of the City of Moundsville on second and final reading on September 1, 2015, a copy of which document is enclosed with the said Application. Moreover, a copy of the Moundsville City Council Minutes, from the September 1, 2015 meeting wherein the said ordinance was finally adopted are enclosed with said Application.

As provided in West Virginia Code §8-1-5a(j), it is my opinion that none of the ordinances, acts, resolutions, rules, or regulations envisioned in order to implement any of the City's Home Rule proposals would be contrary to (1) environmental law; (2) bidding on government construction and other contracts; (3) the Freedom of Information Act; (4) the Open Governmental Proceedings Act; (5) wages for construction of public improvements; (6) the provisions of *W.Va.Code* §8-1-5a; or (7) the City's written plan.

As provided in West Virginia Code §8-1-5a(k), it is my opinion that none of the ordinances, acts, resolutions, rules, or regulations envisioned in order to implement any of the City's Home Rule proposals would pertain to (1) the Constitutions of the United States or West Virginia; (2) Federal law, or crimes and punishment; (3) Chapters sixty-a, sixty-one and sixty-two of the West Virginia Code, or state crimes and punishment; (4) pensions or retirement plans; (5) annexation; (6) taxation (other than a sales tax proposed in compliance with *W.Va.Code* §8-1-5a(k)(6)); (7) tax increment financing; (8) extraction of natural resources; (9) persons or property outside the boundaries of the municipality: Provided, That this prohibition under the Municipal Home Rule Pilot Program does not affect a municipality's powers outside its boundary lines

under other sections of the West Virginia Code or court decisions; (10) Marriage and divorce laws; (11) Restricting the carrying of a firearm, as that term is defined in section two, article seven, chapter sixty-one of this code: Provided, That, notwithstanding the provisions of *W.Va.Code* §8-1-5a(p), municipalities may regulate the carrying of a firearm in municipal buildings dedicated to government operations, other than parking buildings or garages: Provided, however, That on other municipal property, municipalities may regulate only those persons not licensed to carry a concealed firearm; and (12) An occupation tax, fee or assessment payable by a non- resident of a municipality.

Moreover, the City of Moundsville expressly agrees, pursuant to *W.Va.Code* §8-1-5a(p), to the requirements set forth in said subsection concerning regulation of firearms, ammunition and firearm accessories.

Additionally, pursuant *W.Va.Code* §8-1-5a(p)(3)(A), it is my opinion that none of the City of Moundsville's proposals restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any revolver, pistol, rifle or shotgun, or any other firearm, or any ammunition or ammunition components to be used therewith, or the keeping of gunpowder so as to directly or indirectly prohibit the ownership of the ammunition, or, to restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any other firearm accessory or accoutrement, under any order, ordinance or rule promulgated or enforced by the municipality. It is understood that said subsection may not be construed to prevent any law enforcement official with appropriate authority from enforcing any statute enacted by the state.

Based upon the foregoing, I am of the opinion, under existing law and as of the date hereof, that the West Virginia Municipal Home Rule Pilot Program Application of the City of Moundsville complies with statutory requirements as set forth in the Act.

Sincerely,



Thomas E. White

TEW:ms



MOUNDSVILLE, WEST VIRGINIA

CLERK'S OFFICE 304-845-3394
CITY MANAGER 304-845-6300
FIRE DEPT 304-845-2050
CLERK FAX 304-845-7130

I, Sondra J. Hewitt, City Clerk of the City of Moundsville, West Virginia, do hereby certify that on August 18, 2015 at 7:00 p.m., a Public Hearing was held during the regular council meeting of Moundsville City Council, the subject of said hearing being the said City's application to participate in the Municipal Home Rule Pilot Program Phase III, and the ordinance authorizing submission of the same.

The attached are true, correct and complete copies of the pertinent pages of the Moundsville City Council Agenda and the Minutes of the Council Meeting, both evidencing the Public Hearing.

Witness, the signature of the undersigned Clerk of the City of Moundsville, West Virginia, and the seal of the City of Moundsville, West Virginia, this 8th day of September, 2015.



Sondra J. Hewitt
City Clerk

(Seal)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AUTHORIZING THE CITY MANAGER TO SUBMIT A MUNICIPAL HOME RULE APPLICATION TO THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA HEREBY ORDAINS:

(a) The City Manager is hereby authorized and requested to submit a proposal to the West Virginia Home Rule Board to participate in the Pilot Home Rule Program Phase III, pursuant to *W.Va.Code* §8-1-5a. A true copy of said proposal, being the Application Plan of the City of Moundsville, is attached as an Exhibit hereto and is adopted by reference herein.

PASSED:



Karen L. Ankrom, Acting City Clerk

August 18, 2015

First Reading

September 1, 2015

Second Reading

PUBLISH:



(304) 845-2660
P.O. BOX 369
MOUNDSVILLE
WEST VIRGINIA
26041

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA,
COUNTY OF MARSHALL, to wit

I, Melanie S. Murdock being first duly sworn upon my oath, do depose and say:

- that I am Legal Advertising Manager of the MOUNDSVILLE DAILY ECHO, a Republican newspaper;
- that I have been duly authorized to execute this affidavit;
- that such newspaper has been published for over 119 years, is regularly published afternoons daily except Saturdays and Sundays, for at least fifty weeks during the calendar year, in the municipality of Moundsville, Marshall County, West Virginia.
- that such newspaper is a newspaper of "general circulation" as defined in Art. 3, Chap. 59 of the Code of West Virginia 1931 as amended, within Moundsville and Marshall County;
- that such newspaper averages in length four or more pages, exclusive of any cover, per issue;
- that such newspaper is circulated to the general public at a definite price or consideration;
- that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature and for current happenings, announcements, miscellaneous reading matters, advertisements and other notices;
- and that the annexed notice described as follows:

Legal Advertisement

PARTY(ies)

Home Rule Pilot Program

NATURE (and agency if heard before one)

CERTIF-BILL TO

City of Moundsville
800 Sixth Street
Moundsville, WV 26041

WAS PUBLISHED IN- SAID NEWSPAPER AS FOLLOWS

Times: 2 | Dates: **RECEIVED JUL 22 2015**
July 10, 17, 2015

BY WORDS <u>256</u>	PUBLICATION CHARGES <u>\$51.51</u>
------------------------	---------------------------------------

(signed) Melanie S. Murdock

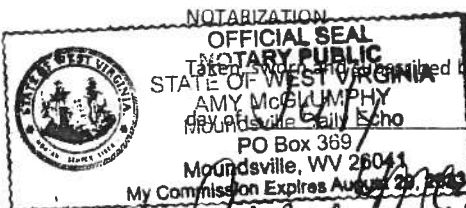
Friday, July 10, 2015 --Mound
LEGAL ADVERTISEMENT

LEGAL NOTICE
TO ALL RESIDENTS, FIRMS AND CORPORATIONS OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA

Please take notice that the City of Moundsville, West Virginia, intends to submit an application to participate in the WEST VIRGINIA MUNICIPAL HOME RULE PILOT PROGRAM, PHASE III, pursuant to the Provisions of the W.Va. Code §8-1-5a. Said application requests permission for the City of Moundsville to be granted authority to broadly increase its governing powers as set forth in the said W.Va. Code provisions, and for the particular areas and items set forth in the City's said application. A copy of the application is available for public inspection during open office hours at the Moundsville City Building, 800 Sixth Street, Moundsville, WV 26041.

The home rule application shall be subject to a public hearing on Tuesday, August 18, 2015, at 7:00 p.m. at the Council Chambers, Moundsville City Building, 800 Sixth Street, Moundsville, West Virginia, and an ordinance authorizing the said application's submission to the West Virginia Municipal Home Rule Board shall be considered by Moundsville Council for adoption on that date and location after said public hearing. Any interested person may appear to be heard at said public hearing.

/s/Sondra J. Hewitt
Sondra Hewitt
City Clerk
PUBLISH: July 10, 17, 2015.



NOTARIZATION
OFFICIAL SEAL
NOTARY PUBLIC
Taken, sworn and returned before me this 17th
STATE OF WEST VIRGINIA
AMY McELUMPHY
Moundsville Daily Echo
PO Box 369
Moundsville, WV 26041
My Commission Expires August 29, 2015
Notary Public
Amy McElumphy

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **AUGUST 18, 2015**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on
5 August 18, 2015 at 7:00 p.m.

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

8
9 Invocation by Councilperson Mark Simms.

10
11 City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt,
12 D. Haynes, P. Haynes, Hendershot, Saunders, Simms and Mayor Wood. Also present: City
13 Manager Deanna J. Hess, Police Chief Mitchell, Fire Chief Clarke, Street Foreman Wallace,
14 CPA Kathryn Goddard, Attorney Thomas White, and City Clerk Hewitt.

15
16 **MINUTES:**

17
18 **Regular Council Meeting of August 4, 2015.**

19
20 Councilperson Saunders moved to accept and approve the minutes of the regular council meeting
21 of August 4, 2015, seconded by Councilperson DeWitt. Motion carried unanimously.

22
23 **PUBLIC HEARING:**

24
25 **A Public Hearing to Consider the Home Rule Application Ordinance for the City of**
26 **Moundsville.**

27
28 Mayor Wood opened the public hearing for any one to speak on Home Rule only.

29
30 * Ben Schilliacci, 718 Second Street, said he was concerned about Home Rule and asked council
31 to explain exactly was it is.

32
33 Mayor Wood said that cities chosen for Home Rule are only permitted to implement the list of
34 items on their application. The City of Moundsville has submitted the following list: ½% or 1%
35 sales tax; decrease in B&O Tax rates; Administer delinquent fees; Administer dilapidated
36 structures; and decrease City Business License categories. If Moundsville would be chosen as a
37 Home Rule city, they would not be able to raise taxes because of the status. They would have to
38 follow the proper procedures to do so.

39
40 * Frank Boso, Jr., 1208 Purdy Avenue, opposes Home Rule saying if council needs more money
41 to operate they should be honest with the citizens and not hide behind the sales tax. No Home
42 Rule, No Sales Tax Increase.

1 * Dennis Kidd, 1215 Second Street, opposed Home Rule.

2
3 Councilperson Hendershot moved to close the public hearing, seconded by Councilperson
4 Saunders. Motion carried unanimously.

5
6 **GENERAL PUBLIC HEARING:**

7
8 * Ben Schillaci, 718 Second Street, complained to council of parking problems on Morton
9 Avenue near Second Street. He said he has parked in the same place for 15 years and was told by
10 neighbors that yellow lines will be painted along Morton Avenue.

11
12 Councilperson Hendershot informed Mr. Schillaci that City Manager Hess will research the work
13 orders and council minutes bringing any information back to the Traffic Committee on
14 September 8, 2015.

15
16 * Denny Kidd, 1215 Second Street reported 203 Parriott Avenue is in state of disrepair, with
17 siding falling off, windows falling out and dead trees are in back yard. Mayor Wood advised Mr.
18 Kidd the property is being evaluated.

19
20 * Carl Boso, 305 10th Street, said he gave the building inspectors the wrong title on the trailer he
21 installed on 12th Street. He feels the building inspectors should have caught the mistake. He also
22 asked if the trailer on the other property has been removed? Mayor Wood said the City Manager
23 has addressed that.

24
25 **OLD BUSINESS:**

26
27 **Discussion and Approval of an Ordinance Amending Article 158.06 of the City Code**
28 **Dealing with Powers and Duties of the Parks & Recreation Board. (Second Reading)**

29
30 Attorney White read the following ordinance by title only to be passed by council on second and
31 final reading:

32
33 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
34 **VIRGINIA, AMENDING THE ORDINANCE CREATING AND ESTABLISHING A**
35 **BOARD OF PARKS AND RECREATION COMMISSIONERS TO PROVIDE FOR THE**
36 **CITY MANAGER TO HAVE ADMINISTRATIVE AUTHORITY WITH RESPECT**
37 **THERE TO. (SECOND READING)**

38
39 Councilperson Saunders made a motion to accept and approve the ordinance, seconded by
40 Councilperson P. Haynes. Mayor Wood called for a voice vote. City Clerk announced the
41 following tally. 7 yeas. Motion carried unanimously.

42
43 **Other Items to be Discussed by Council.**

1 * Councilperson DeWitt stated she was not happy the way the walk way was put in to the boat
2 docks.

3
4 * Councilperson Saunders said the Boys Baseball Association wants the rubber mulch from the
5 Sanford Center playground, but doesn't know why they haven't retrieved it yet.

6
7 * Councilperson Hendershot apologized for missing the sub committee meetings and said the
8 Sanford Center board members have been working on removing the playground equipment.

9
10 **NEW BUSINESS:**

11
12 **Discussion and Approval of an Ordinance Concerning a Home Rule Application. (First**
13 **Reading)**

14
15 Attorney White read the following ordinance by title only to be passed by council on first
16 reading:

17
18 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
19 **VIRGINIA, AUTHORIZING THE CITY MANAGER TO SUBMIT A MUNICIPAL**
20 **HOME RULE APPLICATION TO THE WEST VIRGINIA MUNICIPAL HOME RULE**
21 **BOARD (FIRST READING)**

22
23 Councilperson DeWitt made a motion to approve the Home Rule ordinance, seconded by
24 Councilperson Simms for discussion. Mayor Wood called for a voice vote. City Clerk
25 announced the following tally. 7 yeas. Motion carried unanimously.

26
27 **Discussion of an Zone Change Ordinance at 1808 7th Street from R-G General Residential**
28 **to R-N Neighborhood Retail District. (First Reading)**

29
30 Attorney White read the zone change ordinance by title only to be passed by council on first
31 reading.

32
33 Councilperson Simms made a motion to approve the zone change ordinance, seconded by
34 Councilperson DeWitt. Mayor Wood called for a voice vote. City Clerk announced the
35 following tally. 7 yeas. Motion carried unanimously.

36
37 **Appointment to the Zoning Appeals Board.**

38
39 A letter of interest was submitted by Carol Ryan of Ninth Street for the vacancy on the Zoning
40 Appeals Board.

41
42 Councilperson Saunders made a motion to appoint Carol Ryan to the Zoning Appeals Board,
43 seconded by Councilperson DeWitt. Motion carried unanimously.

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

2
3 * Councilperson Hendershot commented on how well the new paving jobs look.

4
5 * Councilperson Saunders asked if campers are allowed to park on city streets. Manager Hess
6 advised they are not, city has an ordinance prohibiting this.

7
8 * Councilperson Saunders reported vehicles vehicle all over town parking on curb.

9
10 **MANAGER ITEMS:**

11
12 * City Manager Hess received a thank you letter to the Street Department from the Hope
13 Christian Assembly on Juniper Avenue for fixing the street where water and mud was laying.

14
15 * City Manager Hess received a thank you letter from the Tennyball Three Angels for the \$50
16 donation.

17
18 * Manager Hess wished to thank all the department heads. Especially the Street Department for
19 painting the curbs, the streets look great. And also thanked the Recreation Department, Council
20 members and the front office staff.

21
22 **MAYOR ITEMS:**

23
24 * Mayor Wood reminded council members of a Mayor's meeting on August 26, 2015 at 12:00
25 p.m. at the City of Moundsville Council Chambers. Mayor Wood invited the WVML Executive
26 Director Lisa Dooley, Incoming President of the WVML and City of Wheeling Mayor Andy
27 McKenzie and Stacy Rodak of Noble Energy. Following the Mayor's Meeting will be another
28 meeting with Noble Energy and Reynold's Memorial Hospital to discuss Four Seasons Pool.

29
30 **Legal Advertisements by Attorney White.**

31
32 Attorney White submitted several legal advertisements published in the Moundsville Daily to be
33 received and filed by council:

- 34
35 1. Paving Bids
36 2. Public Hearing on the Home Rule Ordinance
37 3. Zone Change Ordinance at 1414 Second Street
38 4. Zone Change at 113 & 115 Ash Avenue
39 5. Zone Change at 113 & 115 Ash Avenue
40 6. Zone Change at 1808 7th Street
41 7. Zone Change at 1808 7th Street
42 8. Zone Change at 1109 12th Street
43 9. Civil Action: Moundsville vs Blane Alex Rich

1 10. Civil Action: Moundsville vs Barbara Campbell

2 11. Civil Action: Moundsville vs Frederico Cruz Jr

3
4 Councilperson Simms made a motion to receive and file the above publications, seconded by
5 Councilperson P. Haynes. Motion carried unanimously.

6
7 **COMMITTEE REPORTS:**

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

9
10 1. Discussion of Costs Associated with Street Drainage Issues at Center Street & Highland
11 Avenue and Highland Heights (Harmony Drive, Spruce and Sugar Streets). Finance Committee
12 recommends paying their portion of the repairs.

13
14 Councilperson Saunders made a motion to pay \$807.52 to the Sanitary Board for their portion of
15 the cost of material for Center Street & Highland Avenue. And \$7,341.50 for Highland Heights,
16 seconded by Councilperson Simms. Motion carried unanimously.

17
18 2. Discussion of paying McKinley & Associates \$5600 to perform a Feasibility Study on Four
19 Seasons Pool.

20
21 Councilperson D. Haynes made a motion to pay McKinley & Associates \$5600 to perform the
22 study at Four Seasons Pool, seconded by Councilperson Hendershot. Motion carried
23 unanimously.

24
25 **Discussion of Recommendations by the Policy Committee.**

26
27 No action taken.

28
29 **Discussion of Recommendations by the Traffic Committee.**

30
31 1. Discussion of 4 Way Stop Signs Seventh Street & Poplar Avenue. Traffic Committee is not
32 making a recommendation on this matter and has referred it to be voted upon by full council.

33
34 Council decided to leave intersection as is.

35
36 2. Discussion of Request for Painting Yellow Curbs at 113 Morton Avenue. Traffic Committee
37 recommends to table this matter and direct the City Manager to review the minutes and work
38 orders in the 100 block of Morton Avenue then bring back to the Traffic Committee. Also to
39 refresh yellow lines already established.

40
41 **COUNCIL ITEMS:**

42
43 * **D. Haynes** - Thanked the City Manager and Street Department for the curb painting.

1 * Said he called Potesta Engineering concerning the transfer station. They will have a
2 representative speak to the policy committee.

3
4 * **P. Haynes** - Nothing at this time.

5
6 * **DeWitt** - Said when examining the letter the Building Inspector Richmond gave to Mr. Boso.
7 The letter says when Mr. Richmond researched the information on the title, the title revealed the
8 trailer was a fifth wheel.

9
10 * Said the streets look great and curbs look fantastic.

11
12 * **Hendershot** - Said when talking with a speaker at the WVML Conference he was informed
13 that nationally all police departments are having a hiring problem.

14
15 * **Saunders** - Reported grass needs cut at the entrance to Highland Heights.

16
17 * Asked Councilperson P. Haynes if dog problem and 4 wheeler problem has been addressed on
18 Highland Avenue? Councilperson P. Haynes advised it had not.

19
20 * Reported seeing a lot of kids at the skatepark.

21
22 * Said street paving looks great.


23
24 * **Simms** - Said he had a relative and a friend visit Moundsville saying how great the city looked.

25
26 * Thanked Mayor Wood for working so hard with the Recreation Department.

27
28 * Thanked all departments for all they do.

29
30 Councilperson Simms made a motion to adjourn, seconded by Councilperson P. Haynes. Motion
31 carried unanimously.

32
33 Meeting adjourned at 8:08 p.m.

34
35
36
37
38
39
40 
Sondra J. Hewitt, City Clerk

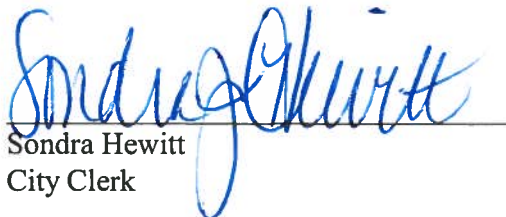

David Wood, Mayor

LEGAL NOTICE

TO ALL RESIDENTS, FIRMS AND CORPORATIONS OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA

Please take notice that the City of Moundsville, West Virginia, intends to submit an application to participate in the WEST VIRGINIA MUNICIPAL HOME RULE PILOT PROGRAM, PHASE III, pursuant to the provisions of the *W.Va. Code* §8-1-5a. Said application requests permission for the City of Moundsville to be granted authority to broadly increase its governing powers as set forth in the said *W.Va. Code* provisions, and for the particular areas and items set forth in the City's said application. A copy of the application is available for public inspection during open office hours at the Moundsville City Building, 800 Sixth Street, Moundsville, WV 26041.

The home rule application shall be subject to a public hearing on Tuesday, August 18, 2015, at 7:00 p.m. at the Council Chambers, Moundsville City Building, 800 Sixth Street, Moundsville, West Virginia, and an ordinance authorizing the said application's submission to the West Virginia Municipal Home Rule Board shall be considered by Moundsville Council for adoption on that date and location after said public hearing. Any interested person may appear to be heard at said public hearing.


Sondra Hewitt
City Clerk

PUBLISH: July 10, 2015
July 17, 2015

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

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on
5 September 1, 2015 at 7:00 pm.

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

8
9 Invocation was given by Councilman Allen Hendershot.

10
11 Acting City Clerk Ankrom called the roll and the following Councilpersons were in attendance:
12 Wood, DeWitt, David Haynes, Paul Haynes, Hendershot, Vice Mayor Saunders, and Simms.
13 Also present were Acting City Manager Hewitt, Police Chief Mitchell, Fire Chief Clarke, Public
14 Works Director Stocklask, Building Inspector Bertrand, Building Inspector Richmond, Attorney
15 Thomas White, and CPA Goddard. Absent was City Manager Hess (vacation).

16
17 **MINUTES:**
18 **Regular Council Meeting of August 18, 2015**

19 Councilman Paul Haynes made a motion to accept the August 18, 2015 Regular meeting
20 minutes as presented and Councilwoman DeWitt seconded.

21
22 Councilman Hendershot pointed out a typographical error on page 4, line 08, which should
23 have read, "dual-wheel vehicles." Councilman Simms motioned to approve the minutes as
24 amended, which was seconded by Vice Mayor Saunders and carried unanimously.

25
26 **GENERAL PUBLIC HEARING:**

- 27 • Mary Tennant of 1300 7th Street spoke on behalf Simpson United Methodist Church
28 asking that a street sign be installed marking "Madison Avenue," which is the name of
29 the one-way road running through Simpson UMC's parking lot between 6th and 7th
30 Streets. Mayor Wood assured that the Traffic Committee will discuss this at their
31 September 8 meeting.
- 32
33 • Ben Schillachi of 718 2nd Street spoke against Home Rule implementation. Mr.
34 Schillachi doesn't believe that, once the sales tax is implemented, it will ever be
35 revoked; and the citizens of Moundsville cannot afford to pay any more. Mr. Schillachi
36 thanked Councilman Hendershot for praying in Jesus' Name! Vice Mayor Saunders
37 commented that Home Rule would, in fact, give City Council the freedom to implement
38 the sales tax, but also remove it, should they chose to do so.
- 39
40 • Bill Sayers of AAA Trailer Court expressed concern about the tree growing on Short
41 Poplar Avenue and hanging over, causing mold on his shed. His insurance company

1 wants something done within 30 days. Mr. Sayers is willing to buy the property, if the
2 liens were removed. The house was torn down by the City and there are no heirs to the
3 estate. Mr. Sayers was informed that he can have the branches, that are hanging over
4 onto his property, trimmed.

- 5
- 6 • H Carl Boso Jr of 305 10th Street asked for a clarification of an "abandoned vehicle?" Mr.
7 Boso believes a vehicle he owns, which is parked on Parriott Avenue, was improperly
8 tagged. Chief Mitchell stated that the City Ordinance supercedes any other entity's
9 definition.
- 10
- 11 • Korie O'Donnell owns property in the City of Moundsville, and she came to thank City
12 officials for all they did to get the boat docks repaired. There has been good feedback
13 and she knows a lot of hard work went into getting the area fixed up. Mrs. O'Donnell
14 also commented that the Building Inspectors are great to work with! Councilwoman
15 DeWitt expressed some displeasure with the placement of the docks, as it doesn't solve
16 the problem of accumulating debris; however, frequenting boaters are happy to have
17 the docks back!
- 18
- 19 • Brad Varles of 1107 12th Street made himself available to answer questions about his
20 zone change request, which will be discussed later in the meeting.

21

22 **OLD BUSINESS:**

23 **A Discussion and Approval of an Ordinance Concerning a Home Rule Application**
24 **(Second Reading)**

25

26 Attorney White read the following ordinance by title only:

27 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA,**
28 **AUTHORIZING THE CITY MANAGER TO SUBMIT A MUNICIPAL HOME RULE**
29 **APPLICATION TO THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD (SECOND**
30 **READING)**

31

32 Councilwoman DeWitt made a motion to approve the ordinance authorizing the City Manager
33 to submit the Home Rule Application. Motion was seconded by Councilman Paul Haynes.

34

35 Mayor Wood reviewed the items addressed in the City of Moundsville's Home Rule
36 Application, which does include implementation of a one-half to one percent sales tax,
37 reducing the number of City Business License classifications, and more authority to address
38 dilapidated buildings and sidewalks. Councilman Hendershot commented that City of
39 Wheeling Mayor Andy McKenzie has been very informative and helpful to Moundsville
40 officials; and Home Rule is not just about charging taxes but about gaining more control for
41 the municipality. Councilman David Haynes reminded that the Home Rule application may

1 not even be accepted by the Home Rule Board; and, even if it is, the whole of Council has to
2 agree on implementation.

3
4 Mayor Wood asked for a roll call vote, to which Acting Clerk Ankrom announced the following
5 tally: 7 yeas. Ordinance is approved unanimously on second reading.

6
7 **B Discussion of a Zone Change Ordinance at 1808 7th Street from R-G General**
8 **Residential to R-N Neighborhood Retail District (Second Reading)**

9
10 Attorney White read the following ordinance by title only:
11 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA,**
12 **PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA AT 1808 SEVENTH STREET IN**
13 **THE CITY OF MOUNDSVILLE FROM A GENERAL RESIDENTIAL ZONE TO A**
14 **NEIGHBORHOOD RETAIL ZONE (SECOND READING)**

15
16 Vice Mayor Saunders made a motion to approve the ordinance changing the zone at 1808 7th
17 Street and Councilman Paul Haynes seconded.

18
19 Mayor Wood asked for a roll call vote, to which Acting Clerk Ankrom announced the following
20 tally: 7 yeas. Ordinance is approved unanimously on second reading.

21
22 **Other Items to be Discussed by Council**

23 * Councilman Simms noticed that the "old" section of Smith Mart on 1st Street is being torn
24 down. Inspector Richmond informed Council that some electrical issues caused a delay in the
25 remediation and demolition.

26
27 * Vice Mayor Saunders asked about the Fostoria property. Mayor Wood heard, at the last RED
28 meeting, that Mr. Brown has rejected offers to use the property as a "lay down yard." Acting
29 Manager Hewitt will ask Manager Hess to get an update.

30
31 **NEW BUSINESS:**

32 **Discussion and Approval of a Recommendation by the Moundsville Planning**
33 **Commission for a Zone Change at 1109 12th Street from S-C Special Conservation to C-**
34 **C-C-H Combined Central Business & Highway Commercial and Integrated Commercial**
35 **Centers District**

36
37 Vice Mayor Saunders asked Brad Varlas what his plans were for the property to be changed.
38 Mr. Varlas plans to erect, above the flood plain, a 32'X72' building to house a laundromat and
39 retail sales of mobile home parts and propane. The campers facing 12th Street will be
40 eliminated. Discussion was held on which areas are zoned for the Mobile Home Park and
41 where they are in proximity to the Special Conservation District. Attorney White explained

1 that any "non-conforming uses" will be grandfathered; but he needs to research previous
2 zone changes more thoroughly. Attorney White prompted Council to keep in mind that
3 changing the zone to C-C-C-H opens the door to all allow kinds of businesses.

4
5 The Planning Commission will meet again on September 17; and they are continuing to work
6 on updating the Zoning Ordinances, with help from WVU College of Law attorneys.

7
8 Vice Mayor Saunders then made a motion to direct the City Attorney to draft an ordinance for
9 the zone change at 1109 12th Street. Councilman Hendershot seconded the motion, which
10 carried unanimously.

11

12 **Other items to be Discussed by Council**

- 13 • Councilwoman DeWitt would like to talk with Inspector Richmond, after the Council
14 meeting, about the area behind the former Goddard's Exxon.
- 15
- 16 • Councilman Simms noticed the house beside the former Emery's Mobile Home Parts is
17 being torn down, which is to allow for expansion of Auto Choice.
- 18
- 19 • Vice Mayor Saunders asked for the City Manager to do research on Morton Avenue, so
20 more discussion can be held at the September 8 Committee meeting.
- 21
- 22 • Councilman Hendershot asked newly-appointed Public Works Director Stocklask if he
23 would elaborate on his plans for the future of the Street and Sanitation Departments.
24 Director Stocklask would like to confer with Manager Hess before he makes any
25 proposals.

26

27 **MANAGER ITEMS:**

28 Acting Manager Hewitt had nothing to discuss at this time.

29

30 **MAYOR ITEMS:**

- 31 • Mayor Wood commented that the Better Buildings Program committee is still working and
32 has a list of about 100 properties.
- 33
- 34 • Mayor Wood informed that McKinley & Associates should be sending a contract to the
35 City Manager, and it will cost \$5,600.00 for 4 Seasons Pool's feasibility study. Mayor Wood
36 is excited about a prospective partnership with Reynolds Memorial Hospital.
- 37
- 38 • Mayor Wood reported that the Mayors Association met on August 26 at the Sleep Inn, and
39 the meeting was excellent and well-attended! City of Wheeling Mayor McKenzie and Lisa
40 Dooley of the West Virginia Municipal League spoke and they were very informative!

41

- 1 • Mayor Wood stated that the partnership with RMH will be discussed at the next Parks &
2 Recreation Board meeting. Board members seem to be in favor of setting up a mutually-
3 beneficial plan. Mayor Wood mentioned that the "Swimming with Super Heroes" was
4 cancelled and re-scheduled for September 27. There will be activities at the Pool, skate
5 park, and basketball court. Tickets will be \$5.00 each, for child or adult, and must be
6 ordered online.
7
- 8 • Mayor Wood invited Council to a meeting of the Route 2 4-Lane and I-68 Extension
9 groups, which will be held at the Country Club.
10
- 11 • Mayor Wood reminded those in attendance about the Moundsville High School Alumni
12 Reunion activities to be held this weekend.
13
- 14 • Attorney White asked for a moment to present legal ads:
15 August 14 publication of August 18 Second Reading of Ordinance for City Manager
16 to have Administrative Authority by Park & Recreation Commissioners
17 August 17 publication of Planning Commission Public Hearing for 1414 2nd Street
18 August 27 publication of September 1 Second Reading of Ordinance for 1808 7th
19 Street Zone Change
- 20 Councilman Simms made a motion to receive and file the legal publications. Motion was
21 seconded by Councilwoman DeWitt and carried unanimously.
22

23 **COMMITTEE REPORTS:**

24 ***Discussion of Recommendations by the Finance Committee***

25 The Finance Committee will meet on September 8, 2015 beginning at 5:00 PM.
26

27 ***Discussion of Recommendations by the Policy Committee***

28 The Policy Committee will meet immediately after the Finance Committee.
29

30 ***Discussion of Recommendations by the Traffic Committee***

31 The Traffic Committee will meet immediately after the Policy Committee.
32

33 **COUNCIL ITEMS:**

34 * **Simms** – Would like to have discussion in Committee about making the Mayor an elected
35 position, but with no more power than is currently available. He also wants to discuss
36 increasing City Council's rate of pay, which would not go into effect until after the 2016
37 election.

38 * Asked about the rescue efforts on Ohio Street, where a man was trapped underneath a
39 trailer. Kevin Wallace operated the Street Department's backhoe to help free the resident.
40 Councilman Simms would like to see the Street, Police, and Fire Department employees
41 recognized for their work during the ordeal. Chief Clarke commented that the Marshall

1 County Sheriff's Department, Moundsville Volunteer Fire Department, and Tri State were also
2 involved.

3 * **Saunders** – Thanked the Sanitary and Stormwater employees for their good work on street
4 repairs in his neighborhood!

5 * Has received complaints, about the noise, from neighbors around the skate park. It was
6 mentioned to install a mat around the perimeter fence.

7 * Expressed frustration about motorists still not coming to a complete stop at Stop signs.

8 * Informed that the Lions Club will be honoring those involved with the Ohio Street rescue.
9

10 * **Hendershot** – Thanked those involved in the Ohio Street rescue and expressed gratitude
11 that none of the rescue workers got injured!

12 * Witnessed an almost-wreck at the corner of 6th Street and Lafayette Avenue. Chief Mitchell
13 noted that he is trying to work with the County, as his department is still short-staffed, and
14 the new officer is at the State Police Academy.
15

16 * **David Haynes** – Commended Manager Hess on the great job she is doing! Several Work
17 Orders he submitted have been taken care of, and he feels Council should be very proud of
18 the employees and the job they are doing!

19 * Opined that Council should continue to support Brad Varlas in his efforts to open a new
20 business!
21

22 * **Paul Haynes** – Thanked Director Stocklask for the great work on the yellow line and curb
23 painting!
24

25 * **DeWitt** – Thanked all City Departments for their great work!

26 * Reminded those present that the Elizabethtown Festival is coming up
27

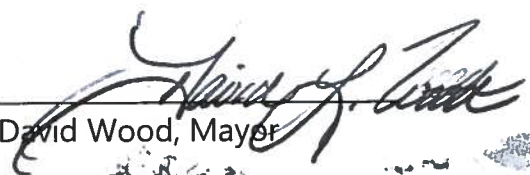
28 Councilman David Haynes made the motion to adjourn, which was seconded by Councilman
29 Paul Haynes. Meeting adjourned at 8:07 PM.
30
31
32

33

34

35


Karen L Ankrom, Acting City Clerk


David Wood, Mayor