

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JUNE 17, 2014**

The Council of the City of Moundsville met in regular session in the Council Chambers on June 17, 2014 at 7:00 p.m.

Meeting was called to order by Mayor Eugene Saunders.

Invocation by Councilperson Mark Simms.

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

MINUTES:

Regular Council Meeting of June 3, 2014.

Councilperson P. Haynes moved to accept and approve the minutes of the regular council meeting of June 3, 2014, seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

Tom Brown, Raze International - Fostoria Property.

Mr. Brown advised council of his next step to have clean fill brought into the Fostoria Site. He noted that he wants to keep council informed of his progress.

* Carl Boso, 305 10th Street, said he has a problem with the Police Chief tagging his vehicles parked on 10th Street but does not tag a boat & trailer beside his house.

OLD BUSINESS:

Discussion and Approval of an Ordinance Pertaining to an Increase to the Public Safety Fee. (Second Reading)

Attorney White read the following Public Safety Ordinance by title only to be passed by council on second and final reading:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE WEST VIRGINIA, AMENDING AND REENACTING SECTION 759.01 OF THE CITY CODE TO INCREASE THE PUBLIC SAFETY RATE (SECOND READING)

Councilperson Remke made a motion to approve the above ordinance, seconded by Councilperson Simms.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance Pertaining to an Increase to the Municipal Fee. (Second Reading)

Attorney White read the following Municipal Fee Ordinance by title only to be passed by council on second and final reading:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING AND REENACTING SECTION 760.01 OF THE CITY CODE TO INCREASE THE MUNICIPAL FEE RATE (SECOND READING)

Councilperson Remke made a motion to approve the above ordinance, seconded by Councilperson Wood.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance Pertaining to an Increase to the Garbage Fee. (Second Reading)

Attorney White read the following Garbage Fee Ordinance by title only to be passed by council on second and final reading:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING SECTION 953.09 AND 953.10 OF THE CITY CODE TO PROVIDE FOR INCREASED FEES FOR GARBAGE COLLECTION (SECOND READING)

Councilperson Remke made a motion to approve the above ordinance, seconded by Councilperson Simms.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson D. Haynes asked for the status of the burned house at 121 Olive Avenue. Manager Hess reported the owners are dealing with the insurance company.

* Councilperson D. Haynes asked for the status of new garbage trucks. Street Commissioner Richmond said he was waiting on information for specs, but should be put out for bid by the end of the week.

* Councilperson Simms asked if the Dura Patcher was working at all? Street Commissioner Richmond advised not very well, but he has no tank to hold & store the emulsion.

* Councilperson Wood asked for status of the stopped up ditch at the girls softball field. Manager Hess reported the Sanitary Board Superintendent is going to look at the problem.

* Councilperson Remke asked for update on 401 13th Street. Manager Hess reported the grass has been cut.

* Councilperson DeWitt asked for status of the 13th Street boat docks. Manager Hess reported placing a sign with DNR's phone number at the dock so residents can call them to make complaints.

NEW BUSINESS:

Discussion and Approval of 2013-2014 General Fund Budget Revision #2.

Councilperson Wood made a motion to approve the 2013-2014 General Fund Budget Revision #2, seconded by Councilperson Simms. Motion carried unanimously.

Discussion and Approval of 2013-2014 Coal Severance Fund Budget Revision #2.

Councilperson Remke made a motion to approve the 2013-2014 Coal Severance Budget Revision #2, seconded by Councilperson P. Haynes. Motion carried unanimously.

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

Councilperson P. Haynes made a motion to approve the resolution for the lease purchase of certain items of equipment for the City of Moundsville, seconded by Councilperson DeWitt.

Mayor Saunders called for a voice vote. City Clerk announced the following tally 6 yeas, 1 nay. Remke voting nay. Motion carried.

Re-appointment to the Moundsville Water Board.

Councilperson Remke made a motion to re-appoint David Haynes to the Moundsville Water Board, seconded by Councilperson P. Haynes. Motion carried unanimously.

Re-appointment to the Moundsville Marshall County Library.

Councilperson Haynes made a motion to re-appoint David Dalzell to the Moundsville Marshall County Library Board, seconded by Councilperson Wood. Motion carried unanimously.

Councilperson Haynes then asked council to recognize Mr. Dalzell for his years of service to the Moundsville Marshall County Library Board.

Other Items to be Discussed by Council.

* Councilperson Simms reported pot holes on Kentucky Avenue & Kanawha Street.

* Councilperson Simms asked what work is being done around the Jefferson Avenue Extension bridge? Manager Hess advised AEP is cutting trees to move the electric poles back for the bridge project.

MANAGER ITEMS:

* Manager Hess advised Business After Hours is being held at Grand Vue on Thursday, June 19, 2014 from 5-7 pm. Anyone interested must contact Marilyn.

MAYOR ITEMS:

* Mayor Saunders asked Attorney White what recourse the city has for the property at 202 Thorn Avenue where the owner died but people (not relatives) keep entering the property. Attorney White said he would have to research the ownership.

* Mayor Saunders reported the house and trailer on Poplar Avenue will be demolished soon.

* Mayor Saunders reminded council the ATV ordinance will be discussed at the Traffic Meeting.

Councilperson D. Haynes made a motion to have an executive session for real estate matters, seconded by Councilperson DeWitt. Motion carried unanimously.

Meeting recessed at 7:50 p.m. for Executive Session.

Executive Session began at 7:50 p.m.

Executive Session recessed at 8:06 p.m.

Regular Session reconvened at 8:07 p.m.

NEW BUSINESS:

Discussion and Approval of a Resolution of the City Council of the City of Moundsville, West Virginia, Approving and Authorizing the City Manager to Enter Into a Contract for the Purchase of Real Estate Located at 803 Brown Street.

Councilperson Simms made a motion to enter into a real estate purchase agreement and place a \$10,000 down payment for 803 Brown Street (Kittle Property), seconded by Councilperson P. Haynes.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas, 1 nay. Remke voting nay. Motion carried.

Councilperson Simms made a motion to direct the City Attorney to draft an ordinance to re-establish a Building Commission, seconded by Councilperson P. Haynes.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas, 1 nay. Remke voting nay. Motion carried.

COMMITTEE ITEMS:

Discussion of Recommendations by the Finance Committee.

1. Discussion of Request for Donation to Three Angels Tennyball Tournament. Committee recommends donate \$50 to the Three Angels Tennyball.

Councilperson Wood made a motion to donate \$50 to Three Angels Tennyball Tournament, seconded by Councilperson P. Haynes. Motion carried unanimously.

2. Discussion of Request for Donation to UMAC for Summer Concerts on Jefferson Avenue. Committee recommends donate \$50 to UMAC.

Councilperson Wood made motion to donate a one-time amount of \$50 to UMAC for concert on Jefferson Avenue, seconded by Councilperson Simms. Motion carried unanimously.

Other Items to be Discussed by Council.

Attorney White presented legal ads published in the Moundsville Daily Echo, to be received and filed by council:

1. Public Hearing for the Comprehensive Plan
2. Zoning Appeals Board - 103 Spruce Street
3. Zone Change Ordinance - 11 Drummond Street
4. Public Safety Fee Ordinance Rate Increase
5. Municipal Fee Ordinance Rate Increase
6. Garbage Rate Ordinance Increase

Councilperson Simms made a motion to receive and file the legal ads, seconded by Councilperson P. Haynes. Motion carried unanimously.

COUNCIL ITEMS:

* **DeWitt** - Reported the drain needs raised on Jefferson Avenue Extension at the first small bridge going around the curve.

* **P. Haynes** - Reported houses at 53 or 59 Locust Avenue is a mess. Manager Hess said it was being addressed.

*Reported a 6 ft high fence in campground being illegal. Manager Hess said the fence was being addressed.

* Reported kids on roof at the Park View School. Chief Mitchell said the kids were caught and taken to their parents.

* **D. Haynes** - Asked if Mayor Saunders heard anything about Home Rule? Not at this time.

* **Remke** - Hopes everyone stops by the farmers market on Jefferson Avenue every Saturday from 9-1.

* **Wood** - Reported house on 1013 Morton Avenue is still in disarray. Weeds and grass need cut.

* **Simms** - Not at this time.

Councilperson Simms moved to adjourned, seconded by Councilperson P. Haynes. Motion carried unanimously.

Meeting adjourned at 8:26 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor