

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JANUARY 2, 2008**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on January 2, 2008 at 6:00 p.m.

Meeting was called to order by Vice Mayor Lemasters.

Invocation by City Manager Hendershot.

City Clerk called the roll and the following councilpersons were in attendance: Cunningham, Haynes, Lemasters, Simms, Wallace and Wood. Absent: DiRemigio. Also present: City Manager Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Laborer Kevin Wallace, Building Inspector Wise, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of December 18, 2007.

Councilperson Wood made a motion to accept and approve the minutes of the regular council meeting of December 18, 2007, seconded by Councilperson Wallace. Motion carried unanimously.

Appointment of Mayor & Vice Mayor.

Councilperson Wallace made a motion to nominate Councilperson Lemasters as Mayor, seconded by Councilperson Wood.

Councilperson Wallace made a motion to closed nominations, seconded by Councilperson Haynes. Councilperson Lemasters called for a voice vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

Councilperson Simms made a motion to nominate Councilperson Wood as Vice Mayor. Councilperson Haynes made a motion to nominate Councilperson Wallace as Vice Mayor, Councilperson Wallace declined. The motion to nominate Councilperson Wood was seconded by Councilperson Wallace.

Councilperson Simms made a motion to closed nominations, seconded by Councilperson Wood. Councilperson Lemasters called for a voice vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

OLD BUSINESS:

**Discussion and Approval of an Ordinance Banning Utility Trailer Parking on City Streets.
(Second Reading)**

Manager Hendershot read the following ordinance by title only to be passed by council on second and final reading:

AN ORDINANCE OF THE CITY OF MOUNDSVILLE TO PROHIBIT THE PARKING OF UTILITY TRAILERS ON THE STREETS OF THE CITY OF MOUNDSVILLE EXCEPT IN LIMITED CIRCUMSTANCES. (SECOND READING)

Councilperson Wallace made a motion to approve the utility trailer ordinance, seconded by Councilperson Haynes.

Mayor Lemasters called for a roll call vote. City Clerk announced the following tally. 5 yeas, 1 nay. Simms voting nay. Motion carried.

Other Items to be Discussed by Council.

* Mayor Lemasters commended Councilperson Cunningham for his attendance to every council meeting in 2007.

NEW BUSINESS:

Discussion and Approval of a Zone Change Ordinance for the Property at 517 & 519 Eighth Street and 514 & 516 Ninth Street from RM to CCCH Zone. (First Reading)

Manager Hendershot read the following ordinance by title only to be passed by council on first reading:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING FOR A ZONING CHANGE OF CERTAIN DESIGNATED AREAS AT 517 & 519 EIGHTH STREET AND 514 & 516 NINTH STREET IN THE CITY OF MOUNDSVILLE FROM A MULTI-FAMILY RESIDENTIAL DISTRICT TO A COMBINED CENTRAL BUSINESS DISTRICT AND HIGHWAY COMMERCIAL DISTRICT. (FIRST READING)

Vice Mayor Wood made a motion to approve the zone change ordinance, seconded by Councilperson Simms for discussion.

Mayor Lemasters permitted Steve Rich, RD 3 Box 324 Moundsville, to speak to council on his mother's behalf concerning the zone change notice to owners of properties within the 200 feet radius of the proposed zone change. Mr. Rich reported to council that his mother did not receive notification for her property. Manager Hendershot informed Mr. Rich the city obtains their information from the Marshall County Court House.

Mr. Robert Samol, Attorney at Law, spoke on behalf of the business interested in the proposed zone change. Mr. Samol assured council that Moundsville will be pleased if the company decides to build in Moundsville and also the business will be commercial.

Mayor Lemasters called for a voice vote on the motion. City Clerk announced the following tally. 5 yeas, 1 nay. Mayor Lemasters voting nay. Motion carried.

Other Items to be Discussed by Council.

* Councilperson Wallace asked Building Inspector Wise if Buffalo Wild Wings is still interested in building near Wal Mart. Mr. Wise reported that he has received plans for the new business.

MANAGER ITEMS:

* Manager Hendershot reported that he, Betsy Frohnafel and Kenny Rhodes met at Sanford School for a tour of the building. The building is sound and will be in use through 2009.

* Manager Hendershot announced that State Auditors are working at the City Building on the 2006-2007 General Fund Budget.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Mayor Lemasters scheduled a Finance Meeting on Tuesday, January 8, 2008 at 6:00 p.m.

Discussion and Approval of Recommendations by the Traffic Committee.

1. Request for Handicapped Parking at 2203 Kanawha Street.

After some discussion, Councilperson Simms made a motion to approve the handicapped parking request, seconded by Councilperson Cunningham. Motion carried unanimously.

Mayor Lemasters scheduled a Traffic Meeting on January 8, 2007 following the Finance Meeting.

Discussion and Approval of Recommendations by the Policy Committee.

Mayor Lemasters scheduled a Policy Meeting following the Traffic Meeting.

COUNCIL ITEMS:

* **Haynes** - Reported the house at First Street & Jefferson Avenue now has the gutters falling off.

Building Wise commented the house has been condemned previously, but he will go back through the process under the new ordinance.

* Asked for an update on the Riverfront Campground. Manager Hendershot reported the project will be handled through the Moundsville Building Commission.

* Reported the house that caught fire at Center Street & Cedar Avenue has not had any repairs done to it since the fire. Fire Chief Clarke advised they investigated the arson, but house has been released to owner.

* Reported the back porch of 2314 Center Street needs cleaned up.

* Wished to thank Jim Richmond and Manager Hendershot in their efforts to clean up 313 Jefferson Avenue.

* Commend Officer DeWitt on his police work.

* **Simms** - Nothing at this time.

* **Cunningham** - Nothing at this time.

* **Wood** - Asked if Manager Hendershot was going to schedule meetings with Department Heads and Employees. Manager Hendershot advised he will check with Kay Goddard to see when she is available.

* Apologized for missing the Christmas luncheon at the Street Department.

* **Wallace** - Wished to thank Mayor Lemasters for his efforts as Vice Mayor and congratulate him for being elected Mayor.

* Congratulation to Councilperson Wood for his appointment to Vice Mayor.

* **Cunningham** - Wished to thank Councilperson Wallace for excellent job as Mayor and Lemasters as Vice Mayor.

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

Meeting adjourned at 6:39 p.m.

Sondra J. Hewitt, City Clerk

Wayne Lemasters,

Mayor