

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
APRIL 5, 2011**

The Council of the City of Moundsville met in regular session in the Council Chambers on April 5, 2011 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by City Manager Allen Hendershot.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, Haynes, Remke, Saunders, Simms, Wood and Mayor Wallace. Also present; City Manager Hendershot, Fire Chief Clarke, Building Inspector Schneider, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt. Absent: Police Chief Kudlak and Street Commissioner Richmond.

MINUTES:

Regular Council Meeting of March 15, 2011.

Councilperson Saunders made a motion to accept and approve the minutes of the regular council meeting of March 15, 2011, seconded by Councilperson Haynes. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Richard Rickrode, 120 Morton Avenue, complained about the sidewalks that need repaired in the city. Complained of the junk on residents porches and back yards. And reported rebar sticking out of the street between First & Second on Morton Avenue.

* Karen Rogerson, 407 Poplar Avenue, expressed interest in a neighborhood crime watch program. Manager Hendershot assured Mrs. Rogerson that officer will be in contact with her concerning the program.

* Carl Boso, 305 10th Street, reported owning and tearing down the property at 8 Maple Avenue then receiving a letter from the Moundsville Building Inspection Department concerning the dilapidated structure. Mr. Boso commented that he obtained a permit to tear the building down and doesn't understand why he received the letter. Also made comment to officers who live outside of city limits taking their cruisers home. Mr. Boso opposed the police department moving to the Knights of Pythias building because of the parking situation.

* Mayor Wallace thanked the Boy Scouts in Pack #78 for attending the council meeting.

PUBLIC HEARING:

Discussion at Public Hearing Concerning the Sanitary Bond Ordinance.

Mayor Wallace closed the public hearing on the Sanitary Bond Ordinance.

OLD BUSINESS:

Discussion and Approval of an Ordinance Concerning Bond Ordinance for the Issuance of its Sewer Revenue Bonds, Series 2011A. (Third and Final Reading)

Councilperson Simms made a motion to accept and approve the Sanitary Bond Ordinance, seconded by Councilperson Wood.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Wood, Mayor Wallace, DeWitt, Haynes, Remke, Saunders and Simms. 7 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance Concerning Water Rates for the City of Moundsville. (Second Reading)

Councilperson Simms made a motion to approve the ordinance concerning water rates in the City of Moundsville, seconded by Councilperson Remke.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Simms, Saunders, Remke, Haynes, Mayor Wallace and Wood voting yea. DeWitt voting nay. 6 yeas, 1 nay. Motion carried.

Other Items to be Discussed by Council.

* Councilperson DeWitt reported the tree in front of Wilson Law Office is starting to bloom, which is still covering the School Zone flashing light. She asked that the tree be removed completely.

* Councilperson DeWitt asked if DOH has contacted the City Manager concerning the 12th Street bridge turn signals. Manager Hendershot reported they have not.

* Councilperson Saunders reported a truck with OH plates is parked in the rear of 1800 Penn Street with garbage in the bed of the truck. He reported the boat that was parked there is gone, but all the garbage was placed in the truck.

* Councilperson Saunders reported the hole on Third Street needs repaired. Manager Hendershot reported that was a sink hole in which the Street Department dug up the hole to see why it was sinking, they filled the hole and replaced the gravel. The job can not be completed until asphalt becomes available.

* Councilperson Haynes reported the guard rail needs replaced at the entrance to the Green Lawn cemetery on Jefferson Extension.

* Mayor Wallace asked why the Police Department and Street Department are not represented by a department head or foreman.

* Councilperson Remke asked if council has decided what they are going to do with the Knights of Pythias building?

Discussion was held on the premise of the Police Department moving to the Knights of Pythias building. Attorney White commented that council passed a resolution to accept the deed and ownership of the property. Council did not officially act on purchasing the property for a Police Department. Councilperson Wood asked that this subject be placed on the next agenda for council to vote upon.

* Councilperson Remke reported garbage on the porch and behind the house at 102 Jefferson Avenue. Discussion was held concerning the ownership of 102 Jefferson Avenue and the individual who is trying to purchase the property.

NEW BUSINESS:

Discussion and Approval of an Ordinance Pertaining to Sanitation Rate Increase. (First Reading)

Councilperson Simms made a motion to accept and approve the ordinance pertaining to Sanitation Rate Increase, seconded by Councilperson Remke.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Simms, Wood, Mayor Wallace, Haynes and Remke voting yea. Saunders and DeWitt voting nay. 5 yeas, 2 nay. Motion carried.

Appointment to the Moundsville Sanitary Board. (Council's Appointment)

Councilperson Saunders made a motion to re-appoint Joseph Richmond to the Sanitary Board, seconded by Councilperson Saunders. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Saunders requested speed bumps on McConnell Drive, residents reported a lot of speeding. Manager Hendershot noted that speed bumps are a liability to the city but will place this item on the traffic agenda.

* Councilperson Saunders reported the curb needs repaired at the end of Olive Avenue. Also, alley needs gravel between Mulberry Avenue & Olive Avenue and Second Street & Center

Street.

* Councilperson Saunders reported house is abandoned at 207 Morton Avenue. Fire Chief Clarke reported house has been addressed, owner was served a warrant.

* Councilperson Remke reported house at 107 Sycamore Avenue has windows knocked out; debris left on property at 10th & Garfield Street; trailer boarded up at Diamond Street & Garfield Street.

* Councilperson Remke reported the Moundsville banner on Jefferson Avenue pole across from BB&T is loose from hook.

* Councilperson Remke displayed the new flower pots that will be hung from poles on Jefferson Avenue.

* Councilperson Remke requested signs on Jefferson Avenue with listed times when the street sweeper will be running. Manager Hendershot will place that item on the agenda.

MANAGER ITEMS:

Bob's Lunch Opening.

Manager Hendershot announced that council member are invited to a "soft opening" at Bob's Lunch on April 6, 2011 from 4-8 p.m.

Voluntary Remediation Project.

Manager Hendershot reported that he signed and entered into the Voluntary Remediation Program contract with GAB and things are moving forward.

Comprehensive Plan.

The Planning Commission received training from the WV Extension Service. The commission recommends utilizing the consultant based option for Comprehensive Plan update. Delegate Varner has made contact with WVU Professor who will assist along with Mr. Dougherty from the Extension Service.

Chief of Police Advertisement.

The vacancy for Moundsville Chief of Police has been advertised with applications, resumes due at the end of April.

IRS Audit.

The city received an IRS Audit last week. The exit report indicated a few minor adjustments that will need to be addressed such as take home of non-emergency vehicles, cell phones, clothing allowance and a minor reporting requirement.

Employee Health Insurance.

The employee health insurance renewal came in at -1.78% rather than the original projected increase +5%. This will be a decrease in the employee's health insurance.

2011-2012 General Fund Budget.

The city received notification from the state that the budget has been approved. The levy will be laid on April 19, 2011 council meeting.

Transportation Enhancement Program.

Manager Hendershot was notified at a Belomar meeting that the state has moved the Jefferson Avenue bridge replacement project back to 2015. Local DOH representatives suggested contacting legislatures.

Councilperson Simms suggested Manager Hendershot draft a letter with council's concerns of the Jefferson Extension bridge.

Appointment to the Moundsville Police Civil Service Commission.

Manager Hendershot announced that he re-appointed Mr. Dale Coffield to the Moundsville Police Civil Service Commission.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Councilperson Saunders scheduled a finance meeting following the policy meeting.

Discussion and Approval of Recommendations by the Traffic Committee.

Councilperson Simms scheduled a traffic meeting following the finance meeting.

Discussion and Approval of Recommendations by the Policy Committee.

Councilperson Wood scheduled a policy meeting on April 12, 2011 at 5:00 p.m.

COUNCIL ITEMS:

- * **Haynes** - Asked when Cherokee Drive will be fixed. Manager Hendershot reported the road was patched today.
- * Reported holes need filled in Campground on Orchid Avenue; garbage needs cleaned up at the bottom of Cherokee Drive; And reported a dumpster needs reflection tape at Center Street & Poplar Avenue.
- * **Saunders** - Thanked the Street Department for cleaning the sewers on Third Street and for cleaning the garbage in the area behind the Rt. 2 carwash.
- * **DeWitt** - Asked why City Council was not invited to the ribbon cutting for the Home Expo at the MEDC facility? Manager Hendershot reported he did not know.
- * Spoke with an individual concerning video of council meetings and the cost of \$200 per meeting.
- * Thanked the Street Department for painting the lines in the city parking lot and patching the streets.
- * **Remke** - Nothing at this time.
- * **Simms** - Nothing at this time.
- * **Wood** - Asked when council will be discussing the paving list? Manager Hendershot will discuss that at the finance meeting.

Councilperson Wood made a motion to hold an executive session for litigation matter, seconded by Councilperson Saunders. Motion carried unanimously.

Meeting recessed at 8:48 p.m.
 Meeting reconvened at 8:55 p.m.
 Executive session began at 8:55 p.m.
 Executive session recessed at 9:10 p.m.
 Regular session reconvened at 9:10 p.m.

Councilperson Saunders made a motion to authorize mediation in the Boso civil litigation suit, seconded by Councilperson Remke. Motion carried unanimously.

Councilperson Saunders made a motion to adjourn, seconded by Councilperson Remke. Motion carried unanimously.

Meeting adjourned at 9:12 p.m.

Sondra J Hewitt, City Clerk

Dennis Wallace, Mayor