

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
NOVEMBER 18, 2008**

The Council of the City of Moundsville met in Regular Session in the Council chambers on November 18, 2008 at 7:00 p.m.

Meeting was called to order by Vice Mayor David Wood.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: Haynes, James, Simms, Wallace and Vice Mayor Wood. Absent: Cunningham & Lemasters. Also present: City Manager Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Foreman Stocklask, Building Inspector Vickers, CPA Kathryn Goddard and City Clerk Hewitt. Absent: Street Commissioner Richmond & Attorney Thomas White.

Announcement.

Manager Hendershot submitted a letter from Dr. Robert Wade on Councilperson Cunningham's behalf concerning his absence at council meetings.

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

MINUTES:

Regular Council Meeting of November 5, 2008.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of November 5, 2008, seconded by Councilperson Simms. Motion carried unanimously.

OLD BUSINESS:

Update on Fostoria Project.

Manager Hendershot reported the grant application was submitted to the US EPA for a grant of \$200,000 (80/20 match). Cleaning is being done on an interior area that is cross contaminated. Activity can not be seen because the cleaning is being done on the ground inside. This area is one of the collapsed buildings that has not been abated. And since the area has not been abated, the WV DEP is requiring that site to be treated as a contaminated area. An agreement with the DEP has allowed the contractor to clean the site, haul the debris to a regular landfill and the remaining clean up will be taken to a certified landfill.

Manager Hendershot would like to thank his secretary, Marilyn Kaufman, for doing an outstanding job putting all the information together in such a short time for the grant application.

Thompson Avenue Complaint.

Councilperson Simms reported he received a complaint that property owner Dwight Cunningham was building on his Thompson Avenue property. City Manager Hendershot assured council that Mr. Cunningham is following the code guidelines. Building Inspector Vickers also noted that everything is legitimate on Thompson Avenue.

NEW BUSINESS:

Planning Commission Meeting.

Vice Mayor Wood inquired about Mike Patrello's request to the Planning Commission Meeting which was denied. Building Inspector Vickers reported that Mr. Patrello owns three lots on Eleventh Street that he wanted re-zoned.

Extended Holidays for Employees.

Councilperson Simms made a motion to authorize extended holidays for the day after Christmas and the day after New Years for the employees, seconded by Councilperson Haynes. Motion carried unanimously.

MANAGER ITEMS:

Discussion of Moundsville Building Commission Vacancies.

Manager Hendershot announced the Councilperson Nick James has submitted an application to fill the vacancy on the Moundsville Building Commission January 1, 2009. This still leaves two vacancies on the commission.

Discussion of Moundsville Planning Commission Vacancies.

Manager Hendershot received letters from Jonna Cunningham and Ginger DeWitt for the Moundsville Planning Commission. Manager Hendershot will make these appointments.

2009 Christmas Tree Gala.

The Marshall County Chamber of Commerce will sponsor their annual Christmas Tree Gala on Thursday, December 4, 2008 at the Delf Norona Museum at 6:30 p.m., hosted by WesBanco.

2009 Christmas Parade.

The Marshall County Chamber of Commerce will sponsor the annual Christmas Parade on Saturday, November 22, 2008 at 2:00 p.m.

Fifth Street & Jefferson Avenue Traffic Light.

Manager Hendershot reported that he was asked to look into the possibility of removing the traffic signal at 5th & Jefferson and installing stop signs. Manager Hendershot contacted Bob Whipp, DOH, who advised that if council wishes to pursue removing the traffic signal, DOH will have to be notified and they will have to perform a study on that intersection.

Other Items to be Discussed by City Manager.

Manager Hendershot announced that Attorney White was attending a hearing in Putnam County and was not sure he would be able to make the council meeting.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Discussion of sponsoring fireworks display 2009. Committee recommends going out for bid.

Councilperson Wallace made a motion to proceed with the bidding process, seconded by Councilperson Simms. Motion carried unanimously.

2. Discussion and review of purchasing street sweeper. Committee recommends to proceed with developing bid specs.

3. Discussion of house decorating contest for Christmas. Committee recommends \$100 First Place; \$50 Second Place; \$25 Third Place.

Councilperson Wallace made a motion to sponsor the house decorating contest on December 11, 2008, seconded by Councilperson Haynes. Motion carried.

Discussion and Approval of Recommendations by the Traffic Committee.

1. Discussion of handicapped parking space at 1017 Tomlinson Avenue. Committee recommended approval.

Councilperson Simms made a motion to approve the handicapped parking space at 1017

Tomlinson Avenue as a temporary space and will be monitored by Chief Kudlak, seconded by Councilperson James. Motion carried unanimously.

2. Discussion of request for easement at Juniper Avenue & Ninth Street. Committee recommended City Attorney to draft a resolution and easement.

Councilperson Simms made a motion to direct the City Attorney to draft a resolution and easement for 801 Juniper Avenue, seconded by Councilperson Haynes. Motion carried unanimously.

3. Discussion of free parking during holiday season. Committee recommended free parking from December 6 to January 2 (excluding the area around the Courthouse).

Councilperson Simms made a motion to allow free parking during holiday season from December 6 to January 2 (excluding area around the Courthouse), seconded by Councilperson Haynes. Motion carried unanimously.

ADA Handicapped Sidewalk Project.

Manager Hendershot announced the ADA Handicapped Sidewalks have been completed. He also explained how the spaces are used in both cases as the driver or the passenger.

Discussion and Approval of Recommendations by the Policy Committee.

1. Discussion of proposed changes to Flood Plain Ordinance. Attorney White will provide information at next committee meeting.

2. Discussion of Sanitation Ordinance regarding deposits for commercial accounts. Committee is waiting for further information from Attorney White.

COUNCIL ITEMS:

* **Wallace** - Sends condolences to the family of Jack Cunningham for the passing of his mother.

* Wished everyone Happy Thanksgiving.

* **Simms** - Reported street tore up on Ninth Street between Henrietta & Parriott Avenue.

* Wished everyone Happy Thanksgiving.

* **Haynes** - Sends sympathy to Jack Cunningham & family on the loss of his mother.

* Wished everyone Happy Thanksgiving.

* Commended the Police Department for the job they have been doing, received good reports from citizens.

* **James** - Wished everyone Happy Thanksgiving.

* Received some complaints concerning more handicapped parking spaces needed around the Courthouse.

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

Meeting adjourned at 7:32 p.m.

Sondra J. Hewitt, City Clerk

David Wood, Vice Mayor