

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
MAY 19, 2009**

The Council of the City of Moundsville met in regular session in the Council Chambers on May 19, 2009 at 7:00 p.m.

Meeting was called to order by Mayor David Wood.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, Haynes, Saunders, Simms, Wallace, Young and Mayor Wood. Also present: Acting City Manager Deanna J Hess, Police Chief Kudlak, Fire Chief Clarke, Street Foreman Stocklask, Building Inspector Wise, CPA Kathryn Goddard, City Attorney Thomas White and City Clerk Hewitt. Absent: City Manager Hendershot.

MINUTES:

Regular Council Meeting of May 5, 2009.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of May 5, 2009, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Bob Parsons, 2027 Meighen Avenue, reported dogs barking at all hours of the night and day. It has been reported to the police, but the barking continues. Chief Kudlak reported that officers have responded to those calls, but if neighbors are not satisfied they are able to come to the Police Department to obtain a warrant.

* Latrisha Whitlatch, 2203 Fourth Street, announced the Family Resource Network created a youth & action group who will be sponsoring an event June 13 at the 12th Street complex. She would also like to see a youth center in Moundsville.

* David White, 406 Clinton Avenue, reported the house at 1411 & 1514 Fourth Street need repaired and the grass needs cut.

* Christine Toth, 2015 Hancock Street, thanked council members for taking the time to look at the situation on Hancock Street and hoped they would place a stop sign at the intersection of Hancock & Mulberry Avenue.

* Carmina Oakland, 29 Fostoria Avenue, asked if the city was responsible for water running across her property removing ceramic tile from her foundation since the culvert was blocked.

* Phil Remke, 227 Jefferson Avenue commended the Family Resource Network for a great job

with the youth in Moundsville. Also complained of the businesses on Jefferson Avenue that need repaired. He commented that council should be ashamed of the way Moundsville looks with the buildings on Jefferson Avenue a mess and the grass at the “Y” of Rt. 2 & Jefferson Extension needing cut.

* Mr. Kachalo, 46 Fostoria Avenue, spoke to council again about his property line not being the same as it was on the deed.

NEW BUSINESS:

Discussion and Approval of a Resolution Authorizing the City Manager to Enter Into a Contract with Health Plan Insurance, Guardian Dental & Vision Service and WesBanco for the 105 Employee Benefit for City Employees.

Mayor Wood introduced Jonette Lasasz of the Schwendeman Agency to explain the employee benefit package for Health Insurance, Guardian Dental & Vision Service. She also said that WesBanco will waive the \$1500 administrative fee for the 105 Employee Benefit.

Councilperson Simms made a motion to authorize the City Manager to enter into a contract with Health Plan Insurance, Guardian Dental & Vision Service and WesBanco for employee benefits, seconded by Councilperson Saunders.

Mayor Wood called for a voice vote. City Clerk announced the tally. 7 yeas. Simms, Wallace, Young, Wood, DeWitt, Saunders & Haynes voting yea. Motion carried unanimously.

Discussion and Approval of Authorizing the City Manager to Enter into an Agreement with Hess Corporation for Bulk Natural Gas.

Councilperson Haynes made a motion to authorize the City Manager to enter into an agreement with Hess Corporation for Bulk Natural Gas, seconded by Councilperson Simms.

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

Discussion and Approval of a Resolution for Budget Revisions for the General Fund Fiscal Year 2008-2009.

Councilperson Simms made a motion to approve the resolution for the budget revision for the General Fund Fiscal Year 2008-2009, seconded by Councilperson Haynes.

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

Discussion and Approval of a Resolution for Budget Revisions for the Coal Severance Fund Fiscal Year 2008-2009.

Councilperson Simms made a motion to approve the resolution for the budget revision for the Coal Severance Fund Fiscal Year 2008-2009, seconded by Councilperson Saunders.

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

Discussion and Approval of a Recommendation by the Moundsville Planning Commission for a Zone Change at First Street & Grant Avenue.

Councilperson Haynes moved to direct the City Attorney to draft an ordinance for the zone change for First Street & Grant Avenue, seconded by Councilperson Simms.

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

MANAGER ITEMS:

Letters of Commendation.

Acting City Manager Hess read letters of commendation from Police Chief Kudlak to Lt. Jeff Murray and Glen Dale Patrolman William Whitelatch for the actions during the fire of April 29, 2009 at the Simmons Apartments in Moundsville.

Traffic Light at 5th Street & Jefferson Avenue.

Acting City Manager Hess reported that Manager Hendershot sent a letter to Bob Whipp, District Engineer, DOH, to begin the process to remove the traffic light at 5th & Jefferson Avenue. Manager Hendershot later spoke to Jay Wallace, District 6, who recommended 2-way or 4-way stop signs. This matter does not have to be voted on at this meeting, it may be referred to the Traffic Committee for further discussion.

Councilperson Haynes made a motion to send this matter back to the Traffic Committee. This motion failed for lack of a second.

Councilperson Saunders made a motion to replace the traffic light at 5th & Jefferson Avenue with 4-way stop signs, seconded by Councilperson DeWitt.

Mayor Wood called for a voice vote. City Clerk announced the following tally. 6 yeas, 1 nay.

Saunders, Simms, Wallace, Young, Wood and DeWitt voting yea. Haynes voting nay.
Motion carried.

Paving 3rd Street from Jefferson Avenue to Grant Avenue.

Acting City Manager Hess reported that an estimate was received on paving 3rd Street from Jefferson Avenue to Grant Avenue in the amount of \$105,043.00, the second estimate was \$75,886.00. There are enough funds to proceed with the paving and not receive an invoice until July 1, 2009.

After some discussion, Councilperson Simms made a motion to proceed with the paving process at 3rd Street from Jefferson Avenue to Grant Avenue, seconded by Councilperson Haynes for discussion.

Councilperson Saunders asked if there would be any chance to add Walnut Avenue from Ash Avenue to Fostoria Avenue since there is almost a \$30,000 savings from 3rd Street from Jefferson Avenue to Grant Avenue.

After some discussion, Councilperson Simms rescinded his motion and Councilperson Haynes rescinded his second.

Councilperson Simms made a motion to include paving Walnut Avenue from Ash Avenue to Fostoria Avenue in his first motion, seconded by Councilperson Haynes.

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

Legal Publications by Attorney Thomas White.

Attorney White presented two legal advertisements concerning bids for a low boy trailer and paving bids.

Councilperson Simms made a motion to receive and file the legal advertisements published in the Moundsville Daily Echo, seconded by Councilperson DeWitt. Motion carried unanimously.

MAYOR ITEMS:

* Mayor Wood thanked council for moving things along concerning paving projects.

* Mayor Wood commented that Elizabethtown was a success even though it rained Saturday.

* Mayor Wood asked for an update on the Fostoria project. Acting City Manager Hess reported no update at this time. Mayor Wood did state he hoped they cut the grass.

* Mayor Wood asked for an update on the Simmons Apartment Building. Councilperson Simms reported that Mr. Morris is waiting for the approval from DEP and EPA to tear down the rest of the building.

* Mayor Wood read in the paper of the County Commission's proposal to building an addition to the Sheriff's Department near the Court House and a suggestion from a citizen to utilize Sanford School instead of a new building.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Items were discussed under new business.

Discussion and Approval of Recommendations by the Traffic Committee.

1. Discussion and approval of installing a stop sign at Hancock Street at Olive Avenue or Mulberry Avenue.

Councilperson Simms made a motion to install a stop sign at Hancock Street & Mulberry Avenue, seconded by Councilperson Haynes.

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

2. Discussion of Parking Patterns Around Central School.

The request is to remove yellow line on 7th Street on the side of Central School.

Councilperson Saunders asked if there were any buses that load & unload on 7th Street. Mr. Rhodes of the Marshall County Schools stated that loading & unloading are in the parking lot in the rear of the school. Chief Kudlak noted that he is aware of a bus that loads & unloads on 7th Street and recommends that council leave 7th Street as it is.

Councilperson DeWitt made a motion to remove the yellow line on 7th Street side of Central School, seconded by Councilperson Simms for discussion.

Further discussion was held on the handicapped bus and fire lane. Mayor Wood called for a voice vote. City Clerk announced the following tally. 4 yeas, 3 nays. Wallace, Wood, DeWitt and Simms voting yea. Young, Saunders and Haynes voting nay. Motion carried.

3. Discussion of "Slow Children Play" sign in the alley beside the Post Office on Third Street.

Councilperson Simms made a motion to install a "Slow Children Play" sign in the alley beside

the Post Office, seconded by Councilperson Haynes.

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

4. Approval of handicapped space at 709 Washington Avenue.

Councilperson Simms made a motion to approve the handicapped parking space at 709 Washington Avenue, seconded by Councilperson Haynes. 7 yeas. Wood, DeWitt, Saunders, Haynes, Simms, Wallace and Young. Motion carried unanimously.

COUNCIL ITEMS:

* **Young** - Thanked the Street Department for taking care of certain issues.

* Thanked the dispatcher for contacting the owner of a vehicle that was constantly running.

* Reported street needing repaired on Poplar Avenue near Greg's Market. Street Foreman Stocklask reported the Water Department is supposed to fix that problem.

* **DeWitt** - Stated that she thinks the Police Department should relocate to the Sanford School.

* **Wallace** - Reported grass needs cut at 1514 Fourth Street the same house that was on fire. Also reported several residents in the 300 block of Sycamore Avenue have garbage piled in yard.

* **Saunders** - Announced that he attended Boy's State and was concerned to see that John Marshall only had 1 student attend, whereas Cameron High School had 5 students.

* Thanked the Water Department for repairing the paving on First Street.

* **Simms** - Asked Street Foreman Stocklask if the dura-patcher is running every day? Mr. Stocklask reported they were fixing the alleys after the storm last weekend but the clutch went out of the truck, so they have been mowing.

* Commended Councilperson DeWitt and Saunders for representing the city and council at the Family Resource Network meetings.

* **Haynes** - Thanked the Street Department for the flood coverage they did after the storm.

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

Meeting adjourned at 8:17 p.m.

Sondra J. Hewitt, City Clerk

David Wood, Mayor