

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
AUGUST 21, 2007**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on August 7, 2007 at 7:00 p.m.

Meeting was called to order by Vice Mayor Lemasters.

Invocation by Councilperson Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: Cunningham, DiRemigio, Haynes, Vice Mayor Lemasters, Simms and Wood. Absent: Mayor Wallace. Also present: Acting City Manager Deanna J. Hess, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Wise, Attorney Thomas White, CPA Kathryn Goddard and City Clerk Hewitt. Absent: City Manager Hendershot (vac).

MINUTES:

Regular Council Meeting of August 7, 2007.

Councilperson Wood made a motion to accept and approve the minutes of the regular council meeting of August 7, 2007, seconded by Councilperson DiRemigio. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Kim Brooks, 208 11th Street, asked that council, when reviewing the Bill Board Ordinance, agree to change the footage of a billboard sign from public parks to 500 ft.

* Shane Walters 1105 National Road, Wheeling, spoke on behalf of Lamar Advertising concerning the Billboard Ordinance.

OLD BUSINESS:

Discussion and Approval of an Ordinance Pertaining to Demolition and Condemnation Process. (Second Reading)

Attorney White read the following 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 ARTICLE 1105 OF THE MUNICIPAL CODE OF THE CITY OF MOUNDSVILLE AND REPEALING PORTIONS OF ARTICLE 1717 OF THE MUNICIPAL CODE OF THE CITY OF MOUNDSVILLE TO

PROVIDE FOR THE ADOPTION OF A NEW NUISANCE ABATEMENT AND DEMOLITION ORDINANCE. (SECOND READING)

Councilperson DiRemigio made a motion to approve the ordinance seconded by Councilperson Wood.

Vice Mayor Lemasters called for a roll call vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

Discussion and Approval of a Zone Change Ordinance for 223 Elm Avenue. (Second Reading)

Attorney White read the following zone change 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, PROVIDING FOR A ZONING CHANGE OF A CERTAIN DESIGNATED AREA AT 223 ELM AVENUE IN THE CITY OF MOUNDSVILLE FROM A GENERAL RESIDENTIAL DISTRICT TO A NEIGHBORHOOD COMMERCIAL SPECIAL DISTRICT. (SECOND READING)

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

Vice Mayor Lemasters called for a roll call vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

Discussion and Approval of an Abandonment Ordinance Requested by Marshall County Schools for the Connector Alley by Central School. (Second Reading)

Attorney White read the following abandonment 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, PROVIDING AN ORDINANCE VACATING, ABANDONING AND ANNULLING A PORTION OF AN ALLEY INTERSECTING THE NORTH SIDE OF EIGHTH STREET AT CENTRAL ELEMENTARY SCHOOL. (SECOND READING)

Councilperson DiRemigio made a motion to approve the abandonment ordinance, seconded by Councilperson Simms.

Vice Mayor Lemasters called for a roll call vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

MANAGER ITEMS:

Business After Hours.

The Marshall County Chamber of Commerce is sponsoring Business After Hours hosted by the Marshall County Commission and Peggy's Posies at the new Events Building at Grand Vue Park.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Discussion of a Grader for the Street Department. Councilperson Wood made a motion to purchase a Grader in the amount of \$80,000 for the Street Department, seconded by Councilperson Simms. Motion carried unanimously.
2. Discussion of a Lift for the Street Department. Councilperson Simms made a motion to purchase a Lift in the amount of \$5,000 for the Street Department Garage, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of Recommendation by the Traffic Committee.

No quorum present.

Discussion and Approval of Recommendation by the Policy Committee.

1. Discussion and Review of the Billboard Sign Ordinance of the City of Moundsville, Section 1389-11.

Councilperson DiRemigio made a motion to direct the City Attorney to amend the Billboard Ordinance from 300 feet to 500 feet of a public park, seconded by Councilperson Simms. Motion carried unanimously.

COUNCIL ITEMS:

* **Cunningham** - Thought that committee discussed billboard signs 1000 feet from public parks. Councilperson Wood stated it was discussed, but members recommended 500 feet.

* Asked if anything is being done with the Boso Property? Chief Kudlak reported that Mr. Boso was given orders to clean up and move everything back behind the fence.

* Asked if handicapped sign applications have to be approved by the Police Department? Councilperson Simms noted that council has the ultimate decision and the Chief of Police gives a recommendation. The applicant has a list of criteria they have to meet.

* **Haynes** - Asked why the roof is still leaking at the City Garage. Roof needs repaired again. Street Commissioner Richmond spoke on the matter.

* Reported to Chief Kudlak of a camper parked in a handicapped spot & chained to a porch in the Campgrounds.

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

* **DiRemigio** - Asked if the Street Department started “shoot & chip” on the alleys? Street Commissioner advised some small alleys have been done.

* Asked for a moment of silence in remembrance of two former council members Mr. Marvin Gray and Mr. Carl Hoffman.

* **Wood** - Asked if Building Inspector Wise received the work order on Gordon’s? Mr. Wise stated since the new ordinance went into effect, the owner will be issued a citation. Also commented on the pigeon problem.

* Asked for an update on Seventh Street. Councilperson Simms noted that he has been off work and was not sure what is being done. Hopefully, they can receive some funding from the state.

* Questioned if there is a weight limit on the bridges at Fostoria Avenue, Ash Avenue and Arlington Avenue because he was told a tractor trailers refused to cross the bridge en route to Park View School. Street Commissioner Richmond said that tractor trailers can cross the bridges.

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

Meeting adjourned at 7:26 p.m.

Sondra J. Hewitt, City Clerk

Wayne Lemasters, Vice Mayor