

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
FEBRUARY 3, 2009**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on February 3, 2009 at 7:00 p.m.

Meeting was called to order by Mayor David Wood.

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

MINUTES:

Regular Council Meeting of January 20, 2009.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of January 20, 2009, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

Presentation by Auditor's Office Regarding Purchasing Card System from Municipalities.

Manager Hendershot introduced Jack Berry and B.B. Smith from the WV Auditor's Office who spoke on the purchasing card system for municipalities. Mr. Berry reported that legislatures passed a law which would allow the local governments to participate in the purchasing card system. The purchasing card is the same as another form of payment instead of using checks. This allows for electronic record keeping and control over the money that is spent. This will be no cost to the city. Council referred this matter to the Finance Committee.

* Kim Brooks, 208 11th Street, opposed the zone change ordinance at 1008 Thompson Avenue. Mrs. Brooks also presented letters from Mr. Brooks and Mr. & Mrs. Delong of 1010 Thompson Avenue who are in opposition of the zone change.

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

* David White, 406 Clinton Avenue, asked council who was in charge of cleaning the sidewalk on Jefferson Ext? Manager Hendershot advised the city responsible, but when we have large amounts of snow, the plows cover the sidewalk. Mr. White asked when the contractors were going to continue tearing down Fostoria? Manager Hendershot advised when the weather is

better. Mr. White also asked how many times can a request for zone change be brought before council? Attorney White advised as many times as they wish.

* Millard Adkins, 298 Eleventh Street, commented that he and his wife oppose the zone change stating that since Co-op installed a fence his property value has already dropped \$10,000 so he does not want another business located by his property.

OLD BUSINESS:

Removal of Fourth Ward Councilperson.

Councilperson Saunders made a motion to remove Councilperson Cunningham from the Fourth Ward Council Seat, seconded by Councilperson Wallace for discussion.

After some discussion as to whether this motion should take place at this meeting or the following meeting, Councilperson Saunders and Wallace rescinded their motion and second.

NEW BUSINESS:

Discussion and Approval of a Zone Change Ordinance for 1008 Thompson Avenue from R-M to C-C-C-H. (First Reading)

Attorney White read the following ordinance by title only to be passed by council on first reading:

AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA AT OR NEAR 1008 THOMPSON AVENUE IN THE CITY OF MOUNDSVILLE FROM A MULTI-FAMILY RESIDENTIAL ZONE TO A COMBINED CENTRAL BUSINESS & HIGHWAY COMMERCIAL ZONE (FIRST READING)

Councilperson Wallace made a motion to approve the zone change ordinance, seconded by Councilperson Young for discussion.

Councilperson Wallace commented that nobody complained when the property in question was an eye-sore but since Mr. Cunningham purchased the property, tore down the old building and cleaned up the property the neighbors want to complain.

Councilperson Haynes made a motion to table this matter until a later date. Motion died for lack of a second.

Mayor Wood called for a voice vote. City Clerk announced the following tally. 4 yeas, 1 nay. Haynes voting nay. Motion carried.

Appointment to the Moundsville Planning Commission.

Manager Hendershot received a letter from William D. McConnell asking to be re-appointed to the Planning Commission. Manager Hendershot will make the appointment.

Discussion and Approval of a Resolution for the Purchase of a 2008 Chevrolet Uplander Van for the City of Moundsville.

Councilperson Wallace made a motion to approve the resolution for the purchase of a 2008 Chevy Van, seconded by Councilperson Haynes. Manager Hendershot advised the resolution is a formality to close the loan.

Mayor Wood called for a voice vote. City Clerk announced the following tally. 5 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance Pertaining to the Codified Ordinances of the City of Moundsville (First Reading)

Attorney White 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 TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES. (FIRST READING)

Manager Hendershot explained his concerns of passing an ordinance that approves and adopts the codified replacement pages would put the city in a position to accept everything from the codifier. There have been instances where the wrong ordinance was printed and passed onto the city's replacement pages. Attorney White commented that he also had concerns and does not think it is necessary to pass another ordinance when the ordinances have already been passed by council. Ordinance died.

Other Items to be Discussed by Council.

* Councilperson Saunders asked what was decided about the right turn on red at 7th & Jefferson Avenue and 7th & Tomlinson Avenue. Street Foreman Stocklask commented the signs have to be a certain size to be a state route.

* Councilperson Wallace reported seeing what he thought was state employees at the intersections of Rt. 2. Manager Hendershot reported the workers are from the gas company and assured Manager Hendershot they would contact him before they started working.

* Councilperson Saunders asked when the Christmas banners were going to be removed. Manager Hendershot advised there being problems with the bucket truck and short in staff.

* Councilperson Young reported the street starting to dip in front of Central School on 7th Street. Manager Hendershot advised 7th Street is State Route/US 250 but he will make a request to the state when they start their repairs.

MANAGER ITEMS:

OVRTA - Ohio Valley Regional Transportation Authorities.

Council received a letter from OVRTA Board of Directors proposing the possibility of extending public transit service to Moundsville as well as Reynold's Memorial Hospital. If the proposal is implemented, the board is requesting a local transit levy be placed on the ballot at the next general election.

Councilperson Saunders made a motion to send this matter to the Traffic Committee and invite Mr. Thomas Hvizdos, seconded by Councilperson Haynes. Motion carried unanimously.

Traffic Light Study.

Manager Hendershot sent a letter to WV Department of Transportation asking the state to remove the traffic light at 5th & Jefferson Avenue. Copies have been provided to council.

Police Civil Service Commission Appointments.

Letters were received by the Marshall County Chambers of Commerce to recommend the appointment of Rebecca Cox to the Police Civil Service Commission and Moundsville FOP to recommend the appointment of David Robinson also to the Police Civil Service Commission.

Councilperson Wallace made a motion to receive and file the recommendation letters, seconded by Councilperson Saunders. Motion carried unanimously.

City of Moundsville Audit.

Manager Hendershot announced that the Auditor's Office has begun their yearly audit, fiscal year July 2007 through June 2008.

Moundsville Building Commission Resignation.

Manager Hendershot reported that Larry Clegg of the Moundsville Building Commission has submitted his resignation due to work scheduling.

Other Items to be Discussed by City Manager.

* Received a thank you card from Mr. Remke and staff for helping with their presentation two

weeks ago.

MAYOR ITEMS:

* Mayor Wood announced that he and other council members will be attending the West Virginia Municipal League Conference Saturday, February 14 and returning for the council meeting on Tuesday, February 17, 2009.

* Mayor Wood thanked the City Manager and each Department Head for their presentations of the budget.

* Mayor Wood asked Manager Hendershot if the Flood Plain Ordinance meeting has been scheduled? Manager Hendershot advised that Building Inspector Wise obtained information and met with the manager, Attorney White and Building Inspector Vickers.

* Mayor Wood asked Attorney White if the sidewalk ordinance was ready to be brought before the Policy Committee? Attorney White believes it is ready.

* Mayor Wood asked Fire Chief Clarke for an update on the Ambulance Service. Chief Clarke reported they are moving along with the process, but budget preparations and classes have slowed down the process. A meeting will be forthcoming in a few weeks.

* Mayor Wood asked council members to bring their goals to the next policy meeting.

Discussion and Approval of Recommendations by the Finance Committee.

Councilperson Wallace scheduled a finance meeting for Tuesday, February 10, 2009 at 5:00 p.m.

Discussion and Approval of Recommendations by the Traffic Committee.

Councilperson Saunders scheduled a traffic meeting following the finance meeting.

Discussion and Approval of Recommendations by the Policy Committee.

Mayor Wood scheduled a policy meeting following the traffic meeting.

COUNCIL ITEMS:

* **Saunders** - Nothing at this time.

* **Haynes** - Wished to thank Street Employees, Kevin Wallace & Ronnie Hill for keeping the streets clean during the snow.

* Reported vehicles going one way on Oak Avenue from the bottom of Grand Vue Park. Street

Foreman Stocklask reported the flashing light is burnt out. Manager Hendershot suggested placing signage on the barrels.

* **Young** - Wished to thank the Department Heads for the budget presentations.

* Passed out Stimulus Package information to fellow council members. Also asked that all department heads decide on their needs.

* **Wallace** - Nothing at this time.

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

Meeting adjourned at 7:57 p.m.

Sondra J. Hewitt, City Clerk

David Wood, Mayor