

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JULY 17, 2012**

The Council of the City of Moundsville met in regular session in the Council Chambers on July 17, 2012 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Mayor Dennis Wallace.

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 Deanna J. Hess, Police Chief Mitchell, Firefighter Brandon, Street Foreman Stocklask, Building Inspector Richmond, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt. Absent: Fire Chief Clarke & Street Commissioner Richmond.

MINUTES:

Regular Council Meeting of July 3, 2012.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of July 3, 2012, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* David Haynes, 21 Elm Avenue, encouraged citizens and council to be more involved in building the Skateboard Park.

* John Yeater, 101 Cherokee Drive, wished to thank everyone for their support to deny a variance for property at 10th Street & Jefferson Avenue.

* Rich Littell, 5 Primrose Street, reported since he was opposed to the zone change proposals in the Campgrounds, the petitioners had retaliated by blocking his driveway and parking all their vehicles in front of his residence.

After some discussion, Council asked the City Manager to look into the matter.

* Walter Rhome, Powhatan Pt, Oh, owner of property at 1500 Water Street, has asked council to reconsider their decision of denying his zone change proposal so he could develop the property.

Councilperson Simms made a motion to place this request on the next council meeting agenda, seconded by Councilperson Haynes.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Simms,

Haynes, DeWitt and Mayor Wallace voting yea. Wood, Remke and Saunders voting nay. 4 yeas, 3 nays. Motion carried.

* Chris Lavenski, 1110 Sixth Street, reported high grass at 2006 Seventh Street on the corner of 7th Street & Myrtle Avenue. She reported that her mother's car has been hit three times because vehicles move to the center of the street causing passing vehicles to sideswipe her parked vehicle. She reported this property has not been cut for two years.

* Ralph Corley, 32 Fostoria Avenue, expressed concern that campers are being moved from a campground to be stored on the property behind the Moundsville Volunteer Fire Department along with storing the port-a-johns. Mr. Corley asked if the port-a-john company is permitted to store chemicals in their building. Mr. Corley also questioned the reason why the Moundsville Volunteer Fire Department was on Captina Creek assisting with a garage fire.

Mayor Wallace asked Manager Hess to research the legality of storing the campers and port-a-johns on the Moundsville VFD property.

Street Laborer Frank Stocklask asked to answer the question concerning the Moundsville Volunteer Fire Department. He advised that MVFD has a mutual aid agreement with most cities in the Ohio Valley on both sides of the river.

* Chief Mitchell introduced and presented awards to members of the Citizens Police Academy. The following members include Howard Cross, Chad Howe, Karen Rogerson, Councilperson Eugene Saunders, Councilperson Phil Remke.

OLD BUSINESS:

Discussion and Approval of an Amendment to the Ordinance Pertaining to Sidewalk Removal by the City of Moundsville. (Second Reading)

Attorney White read the following sidewalk 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 SECTION 901.16 OF THE CITY CODE TO PROVIDE FOR SIDEWALK REMOVAL BY THE CITY IN CERTAIN CIRCUMSTANCES. (SECOND READING)

Councilperson Remke made a motion to accept and approve the sidewalk ordinance, seconded by Councilperson Saunders.

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

**Discussion and Approval of an Ordinance to Abolish the Historic Landmarks Commission.
(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, ABOLISHING THE CITY’S HISTORIC LANDMARKS COMMISSION.
(SECOND READING)**

Councilperson Saunders made a motion to accept and approve the above ordinance, seconded by Councilperson DeWitt.

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

Other Items to be Discussed by Council.

- * Councilperson Saunders asked for an update on 1522 Sixth Street. Building Inspector Richmond reported sending a 30 day vacant residence letter but hasn’t receive a call back.
- * Councilperson Haynes asked for an update on 34 Locust Avenue. Building Inspector Richmond reported sending 30 day letters to the property owner as well. He also asked about 49 Linden Avenue which Building Inspector Schneider was taking care of.
- * Councilperson Saunders asked Manager Hess if she was able to speak with the owner of the property behind Wood Fitness? She advised the owner has not returned her call.
- * Councilperson Remke asked Manager Hess to authorize the Street Department to repaint the curb in front of Tri State Ambulance yellow.

NEW BUSINESS:

Discussion and Approval of Budget Revision #1 for the 2012-2013 General Fund Budget.

Councilperson Wood made a motion to approve Budget Revision #1 for the 2012-2013 General Fund Budget, seconded by Councilperson DeWitt. Motion carried unanimously.

Receive and File the 2011-2012 Moundsville Police Pension Annual End of the Year Report.

Councilperson Simms made a motion to receive and file the 2011-2012 Moundsville Police Pension Annual End of the Year Report, seconded by Councilperson DeWitt. Motion carried unanimously.

Discussion and Approval Authorizing the City Manager to Enter Into a Contractual Agreement with the Division of Justice and Community Services to Receive and Administer Grant Funds Under the Justice Assistance Grant Program. (For Prescription Drug Investigations/Interventions)

Councilperson Saunders made a motion to authorize the City Manager to enter into a Contractual Agreement with Division of Justice and Community Services for a grant program in the amount of \$20,000, seconded by Councilperson Wood. Motion carried unanimously.

Discussion and Approval of an Ordinance Providing for a Special Bus Levy Vote Provided by the Ohio Valley Regional Mass Transportation Authority. (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 PROVIDING FOR A SPECIAL LEVY VOTE BY SEPARATE BALLOT AT THE GENERAL ELECTION OF NOVEMBER 6, 2012 TO AUTHORIZE ADDITIONAL TAX LEVIES FOR THE FISCAL YEARS BEGINNING JULY 1, 2013, JULY 1, 2014 AND JULY 1, 2015, TO PROVIDE FUNDS FOR THE CITY'S SHARE OF FUNDING FOR ANY DEFICIT OF OPERATING COSTS AND THE COSTS OF ACQUIRING CAPITAL EQUIPMENT AND FACILITIES FOR THE SAME PERIOD FOR A SYSTEM OF URBAN MASS TRANSIT TO BE PROVIDED BY THE OHIO VALLEY REGIONAL MASS TRANSPORTATION AUTHORITY. (FIRST READING)

Councilperson Wood made a motion to accept and approve the bus levy ordinance, seconded by Councilperson Haynes.

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

Other Items to be Discussed by Council.

* Councilperson Remke asked for curbs to be painted yellow in driveways on Morton Avenue between First Street & Second Street.

* Councilperson Saunders reported a vehicle on Jackson Street with a resident handicapped sticker that is not using the handicapped parking space, they are parked in the space behind the handicapped spot. Chief Mitchell will look at the situation if the resident is not using the space, it will be removed.

MANAGER ITEMS:

Appointment to the Moundville Housing Authority.

City Manager Hess received a letter from Mr. Jack Philips asking to be re-appointed to the Moundville Housing Authority. At this time, Manager Hess will re-appoint Mr. Philips.

Business After Hours.

Manager Hess announced Business After Hours is scheduled for Thursday, July 26, 2012 at Grand Vue Park from 5-7 p.m., sponsored by Chesapeake Energy.

MAYOR ITEMS:

* Mayor Wallace announced that he received a call from Mr. Marty Potts concerning a hotel near the Buffalo Wild Wings. The owners of the hotel have requested the City of Moundville to waive part or all of the B&O Tax on construction.

After some discussion, Councilperson Wood suggested that City Manager Hess contact the hotel company and invite them to a council meeting eliminating the middle man.

* Mayor Wallace asked for an update on the Marshall County Fairgrounds. Manager Hess reported the Fair Board has met all regulations and Building Inspector Schneider will be inspecting the work on Wednesday.

COMMITTEE REPORTS:

Discussion of Recommendations by the Policy Committee.

Items will be brought up at the August committee meeting.

Discussion of Recommendations by the Finance Committee.

1. Discussion of Stormwater Utility Board Reimbursing City of Billing Costs of Stormwater Fee. Committee recommends that all costs associated with the billing since August 2010 be reimbursed.

Councilperson Saunders made a motion to charge the Stormwater Utility Board for billing costs since August 2010, seconded by Councilperson Haynes. Motion carried unanimously.

2. Discussion of Rental Fee Costs for Use of City Equipment by the Water and Stormwater Departments be Charged Starting July 2012. Committee recommends to implement the charges.

Manager Hess noted after discussing this matter with all three departments, she feels the Street Department, Water Department and Sanitary/Stormwater Board have agreed to continue sharing equipment.

Discussion of Recommendations by the Traffic Committee.

1. Discussion of Proposed Street Paving Projects for 2012. Committee recommends preparing bid specifications for the following streets: 13th Street from Rt.2 to River; Railroad Avenue from Jackson Street to 4th Street; Garfield Street from 12th Street to Ruby Street.

Councilperson Simms made a motion to approve the proposed Street Paving projects, seconded by Councilperson Saunders. Motion carried unanimously.

COUNCIL ITEMS:

* **DeWitt** - Asked for an Executive Session after the regular meeting for personnel matters.

* **Saunders** - Received complaints of residents with OH plated vehicles which he turned over to the City Manager.

* **Haynes** - Requested curb to be repaired at Grant Avenue side of Layman's on First Street.

* **Remke** - Announced that WTOV has a 360 ft. camera on top of Golden Towers.

* Disappointed that fellow council members did not attend the meeting with Williams Energy on Sunday, July 15, 2012.

* Congratulations to the Citizens Police Academy members.

* Wished to thank City Manager Hess & CPA Kathryn Goddard for finding more finances for the city.

* **Wood** - Congratulated members of the Citizens Police Academy.

* Attended a state meeting and training seminar concerning the Comprehensive Plan which was well received.

* **Simms** - Recognized Councilperson Remke for his involvement bringing the Veterans Wall to Moundsville.

Councilperson Simms made a motion to hold an Executive Session for personnel matters after a 5 minute recess, seconded by Councilperson Saunders. Motion carried unanimously.

Meeting recessed at 8:17 p.m.

Meeting reconvened at 8:22 p.m.
Executive Session began at 8:22 p.m.
Executive Session recessed at 8:27 p.m.

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

Meeting adjourned at 8:28 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor