

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
FEBRUARY 19, 2008**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on February 19, 2008 at 7:00 p.m.

Meeting was called to order by Mayor Wayne Lemasters.

Invocation by Councilperson Simms.

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

MINUTES:

Regular Council Meeting of February 5, 2008.

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

Award Presentation to Neubauer's Flowers.

Mayor Lemasters and City Manager Hendershot presented an award to Mr. & Mrs. Phil Neubauer for their years of service in the City of Moundsville.

GENERAL PUBLIC HEARING:

* Kathy Redd, 910 Parriott Avenue, complained of a rat problem in her neighborhood. She reported the problem to Councilperson Cunningham.

Councilperson Cunningham asked if the city could provide poison for the rodents. Manager Hendershot advised Councilperson Cunningham of the ordinance concerning properties of nuisance which provides the process that council must follow in eliminating such problems.

Manager Hendershot advised that Building Inspectors will be performing an inspection on the property and will inform council as to whether or not the property is a nuisance.

OLD BUSINESS:

* Councilperson Wallace asked for the status of Buffalo Wild Wings. Manager Hendershot reported the contractors requested the B&O tax be returned.

* Manager Hendershot also reported the Huddle House (Pancake House) acquiring property behind Long John Silvers.

* Councilperson Haynes asked if there was any knowledge of what is going to be built on Lafayette Avenue between 8th & 9th Street. Manager Hendershot advised the city will not know until building permits are issued.

NEW BUSINESS:

Discussion and Approval of Requisition #25 for the Moundsville Water Treatment Plant Project.

Councilperson Wallace made a motion to approve requisition #25 for the Moundsville Water Treatment Plant project, seconded by Councilperson Simms. Motion carried unanimously.

Discussion and Approval to Authorize the City Manager to Enter Into a Contractual Agreement for Liability Insurance.

Manager Hendershot reported a premium savings of \$36,000 on liability insurance by contracting through Trident, a new company that is taking a lot of municipal business in the state.

Councilperson Haynes made a motion to authorize the City Manager to enter into a contractual Agreement for Liability Insurance, seconded by Councilperson Wood. Motion carried unanimously.

Discussion and Approval of a Resolution to Authorize the City Manager to Request a Project Amendment for the Governor's Community Partnership Grant Program Titled: Ballfield Bleachers Project #07LEDA0277.

Manager Hendershot reported the amendment would consist of expansion of water lines and concrete work at the girl's softball field.

Councilperson Simms made a motion to approve the resolution amending projects for the Governor's Community Partnership Grant, seconded by Councilperson Wallace. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Simms reported the arrow at 12th & Lafayette Avenue turning east onto 12th Street from Rt. 2 is burnt out. Chief Kudlak commented the lighted turn arrow is on a timer that is set from Charleston.

MANAGER ITEMS:

Ribbon Cutting for Sleep Outfitters.

The ribbon cutting for Sleep Outfitters will be held on February 20, 2008 at 1:00 p.m. in the Busy Beaver Plaza.

Manager's Workshop & Special Meeting Scheduled.

Manager Hendershot requested a Manager's Workshop on Monday, February 25, 2008 at 6:00 p.m. and asked Mayor Lemasters to schedule a Special Council Meeting for the Budget & Budget Message on Thursday, February 28, 2008 at 5:00 p.m.

Legal Advertisement by Attorney White.

Attorney White presented a legal advertisement published in the Moundsville Daily Echo concerning a petition for replat/subdivide at 2203 & 2205 First Street.

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

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Recommend Approval for Donation of \$500 to Elizabethtown.

Mayor Lemasters made a motion to donate \$500 to Elizabethtown, seconded by Councilperson Wood. Motion carried unanimously.

Discussion and Approval of Recommendations by the Traffic Committee.

1. Request to Block Jefferson Avenue from Second Street to Fifth Street and Morton Avenue to Baker Avenue for June 6, 2008 Car Show. (Rain date June 13, 2008)

Councilperson Simms made a motion to authorize blocking Jefferson Avenue from Second Street to Fifth Street and Morton Avenue to Baker Avenue for June 6, 2008, seconded by Councilperson Wallace. Motion carried unanimously.

2. Recommend a sponsorship of \$30 Mayor's Choice and \$30 City Manager Choice for the Annual Car Show.

Councilperson Simms made a motion to approve sponsorship of \$30 for Mayor & \$30 for Manager Choice, seconded by Councilperson Haynes. Motion carried unanimously.

3. Recommend the following Handicapped Requests: 114 Ash Avenue & 217 Birch Avenue.

Councilperson Simms made a motion to authorize two handicapped requests, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of Recommendations by the Policy Committee.

Councilperson Wood reported the tethering ordinance was discussed and will need further research.

COUNCIL ITEMS:

* **Wallace** - Apologized to the audience for his outburst with Councilperson Cunningham.

* **Wood** - Asked for a projection of what the cost will be to citizens when increasing fees including the Public Safety Fee.

* Asked Chief Kudlak if they have had any problems with trailers parked in the city since the ordinance has been passed. Chief Kudlak reported there have not been any citations issued because there hasn't been any trailers parked on the street. Before issuing a citation, officers will inform the citizen of the ordinance giving them a chance to correct the problem.

* Asked for an update on the 12th Street Sidewalk Project. Manager Hendershot reported plans were submitted for approval to WV DOH and onto the state. Hopefully the project can be started this spring.

* **Cunningham** - Questioned the decision made by Manager Hendershot and Council to proceed with the phases in the ordinance concerning property at 9th & Parriott Avenue. He asked if he was to proceed with helping the owner or does council wish to handle it. Councilperson Wallace commented the problem is a hazard to the citizens in the neighborhood and should be handled by council.

* Thanked Chief Kudlak for removing vehicles on Water Street.

* Apologized to the public for raising his voice.

* **Simms** - Asked about the form passed out concerning B&O Tax Rates in other cities.

* Asked council as they look at raising rates, council needs to look at the large amounts of money being handed out for donations.

* **Haynes** - Asked if the vehicle on Fostoria Avenue was removed. Chief Clarke reported the vehicle not being there this evening.

* Asked if the pool at 5th Street & Cedar Avenue was filled. Mayor Lemasters reported the pool being filled with ash years ago.

* Commended the Street Department for cleaning the streets during the snow.

* **Lemasters** - Reported that several Park Managers visited the City of Moundsville from areas in West Virginia. Joe Shuttlesworth from Bridgeport WV spoke to the board about a splash pool. Also, Ralph LaRue from Morgantown, Don Burton from Bridgeport, John Cooper from Clarksburg joined park board members to evaluate all of Moundsville Parks & Recreation Facilities.

* Manager Hendershot noted that demolition continues at the Moundsville Jr. High and should be razed in another day.

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

Meeting adjourned at 7:38 p.m.

Sondra J. Hewitt, City Clerk

Wayne Lemasters, Mayor