

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
APRIL 20, 2010**

The Council of the City of Moundsville met in regular session in the Council Chambers on April 20, 2010 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 Commissioner Richmond, Building Inspector Wise, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt. Absent: City Manager Hendershot.

MINUTES:

Regular Council Meeting of April 6, 2010.

Councilperson Saunders made a motion to accept and approve the minutes of the regular council meeting of April 6, 2010 with amendments on page 5, line 37 should read "COUNCIL ITEMS", seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Mr. George Kachalo, 31 Fostoria Avenue, spoke to council concerning his property and showed pictures of his leg where the neighbor hit garbage cans with his vehicle and into Mr. Kachalo.

* Mrs. Micheala Karr, 401 Eleventh Street, reported semi trucks from the Marshall County Co-op damaging her sidewalk and hoped that she would not have to repair it. Mrs. Karr provided council members with pictures.

Public Hearing on the Moundsville Sanitary Board's Collection System & Plant Improvements. (Anyone wishing to ask questions on the projects, expected costs, rates or express concerns of any projects).

Mayor Wood asked the audience if anyone would like to speak on the Sanitary Board's Collection System & Plant Improvements. Hearing none, Mayor Wood closed the public hearing.

OLD BUSINESS:

Discussion and Review of Changes to City Code Section 171.15, Reinstatement Fee - Drivers License. (Second Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING SECTION 171.15 TO THE MUNICIPAL CODE OF THE CITY OF MOUNDSVILLE TO INCREASE THE ADMINISTRATIVE FEE TO DEFER COSTS FOR SUSPENSION AND REINSTATEMENT OF DRIVERS LICENSE PRIVILEGES AS A RESULT OF UNPAID MUNICIPAL FINES AND COSTS OR FAILURE TO APPEAR BEFORE THE MUNICIPAL COURT OF THE CITY OF MOUNDSVILLE FOR CERTAIN MOTOR VEHICLE OFFENSES. (SECOND READING)

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

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

Discussion and Approval of a Proposed Sanitary Tier II Rate Increase. (Second Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING THE EXISTING RATE SCHEDULE FOR THE SANITARY DEPARTMENT OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA. (SECOND READING)

Councilperson Simms made a motion to approve the ordinance concerning Sanitary Rate Increase, seconded by Councilperson Haynes.

Mayor Wood called for a voice vote. City Clerk announced the following tally. Wallace, Mayor Wood, DeWitt, Haynes, Saunders and Simms voting yea. Young voting nay. 6 yeas, 1 nay. Motion carried.

Other Items to be Discussed by Council.

* Councilperson Saunders complained about the abandoned houses in Moundsville. Hopes to revise the housing ordinance. Fire Chief Clarke reported that properties are turned over to him when the property is vacant. He sends letters to the owner giving 30 days to correct the problem. If the problem is not corrected, the information is turned over to the police department

who then gives the owner a citation. The owner will then have to appear in Municipal Court. The Judge hears the case, fines the owner. When a property is turned over to the Building Inspector, the owner pays for a building permit or demolition permit that is good for six months.

Mayor Wood referred this matter to the Policy Committee.

* Councilperson Saunders asked why is there no clean up at the Fostoria? He knows the city is waiting on the Brownfields Grant.

Mayor Wood agreed with Councilperson Saunders stating that other things can be cleaned up that are not connected with the remaining four or five structures. Mayor Wood also commented that GAB has not sent any representation to council meetings.

* Councilperson DeWitt asked Fire Chief Clarke if the owners have been contacted concerning the property at 519 8th Street which has fire damage?

Chief Clarke reported the property had been declared arson and he is not aware if the property has been released yet, but he will investigate.

* Councilperson DeWitt asked if the city still has an Ambulance Committee because she has not heard any discussions on the service.

Fire Chief Clarke commented that a list of questions were sent to the City Attorney with no response. Attorney White stated that he will get the information right away.

NEW BUSINESS:

Discussion and Approval to Lay the Levy for the City of Moundsville 2010-2011 General Fund Budget.

CPA Kathryn Goddard explained the levy information is provided by the Marshall County Assessors Office. The Levy Order and Rate Sheet consist of Class II and Class IV real estate and personal property tax assessments.

Councilperson Simms made a motion to approve the Levy for the 2010-2011 General Fund Budget, seconded by Councilperson Haynes.

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

MANAGER ITEMS:

Planning Commission Vacancy.

Acting City Manager Hess reported a vacancy exists on the Planning Commission. This is a manager's appointment and 3 year term. Council suggested re-advertise the vacancy.

Business After Hours.

The Marshall County Chamber of Commerce is sponsoring Business After Hours hosted by the Marshall County Co-op on Thursday, April 22, 2010 from 5-7 p.m.

MAYOR ITEMS:

* Mayor Wood reported having some questions about the minutes of the Planning Commission meeting provided the council concerning the authority of the Planning Commission. Mayor Wood will speak to Manager Hendershot on the matter.

* Mayor Wood made comment on the letter concerning the purchase of the Knights of Pythius building and the possible sale of the old state police barracks will be discussed with Manager Hendershot.

* Mayor Wood announced the ground breaking event scheduled for Wednesday, April 21, 2010 with Governor Manchin has been postponed because of travel issues.

* Mayor Wood commented on different items on the City of Moundsville website, such as dates of events. Also, bio's of council members.

* Mayor Wood reminded council members attending the graduation of officers need to be at the city building on Friday morning at 6:00 a.m.

* Mayor Wood asked for an update on Project Lifesaver. Fire Chief Clarke reported having a couple of meetings and hope donations start coming in to purchase the transmitters.

COMMITTEE ITEMS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Discussion of State Police Barracks. Committee recommended to authorize the City Manager to discuss with MEDC if there is a way that they would remodel this and rent it back to the city for a reasonable cost.
2. Discussion of Hotel/Motel Feasibility Study. Committee recommended the City can not participate at this time. Mr. Knuth of the Chamber of Commerce will be notified.
3. Discussion of Cost Estimate to Update Comprehensive Plan. Committee recommends no action on proposal letter from Steptoe & Johnson to perform the review of comprehensive plan. City Attorney White suggested an engineering firm be involved. City Manager to contact

Municipal League to see if they have any recommendations on engineering firms assisting with comprehensive plans.

4. Discussion & Review of Request Concerning City Business License Refund Request. Committee recommended after review of the City Code, there would be no reimbursement to Tuck's First Street Bar & Grill due to closing.

Discussion and Approval of Recommendations by the Traffic Committee.

1. Discussion and Approval of Handicapped Parking Request at 215 Washington Avenue. Committee recommended no action taken, table at this time.

2. Discussion and Review of the Paving Project Costs for 2010. Committee recommends no decision at this time.

Discussion and Approval of Recommendations by the Policy Committee.

1. Discussion of Proposed Ordinance regarding Rental Housing Registration. Committee recommends City Attorney to draft two proposals to be discussed at May's Policy Meeting.

Option 1: Implement the rental inspection plan.

Option 2: Implement the registration of vacant houses.

2. Discussion of new procedures for Obtaining Police Reports and new fee schedule. Committee recommends to forward to council for approval. City Attorney stated this can be a verbal resolution.

Councilperson Saunders made a motion to table this request until Chief Kudlak can meet with Attorney White, seconded by Councilperson Haynes. Motion carried unanimously.

3. Discussion of MS-4 Storm Water Permit Project. Committee recommends the City Manager to contact Tim Stranko to draft an ordinance for committee's review.

COUNCIL ITEMS:

* **Haynes** - Nothing at this time.

* **Saunders** - Would like to make the public aware that the Skateboard Park is not under the city's control and no cost to the tax payers. This is a privately funded project.

* Announced that Mr. Joe Marcinek, National Mens Softball League attended the Parks & Recreation meeting where he was permitted to use the ball fields one weekend in July.

* Reported video cameras at various locations of Four Seasons Pool.

* **DeWitt** - Wished to thank the Street Department for patching holes and cleaning cinders from the streets.

* Reported the house at 907 Seventh Street is in deplorable condition. Building Inspector Wise is aware of the condition of the house and has spoke to the owner on occasion. Attorney White noted that people living in houses of this condition can be cited and brought before the Judge.

* **Young** - Requested patrol area of Four Seasons Pool and playground parking lot.

* Need to contact the owner of the old Convenient Food Store. Trash has been left in area around building.

* Asked if the City website has an area for Real Estate in Moundsville. Chief Kudlak reported there being a problem with the link on real estate, but he can look into putting back on.

* Wished to thank all the employees for their hard work.

* **Wallace** - Need signs replaced on Jefferson Extension going south before light at First Street & Jefferson Avenue - No Parking at Anytime. Two "One Hour Parking" signs on 10th Street on the Mound Museum property. Street Commissioner Richmond thinks they belong to the Mound.

* Reported a tree hanging into alley between Weaver Avenue & Tomlinson Avenue. Chief Kudlak will address problem.

* Reported the city losing a lot of revenue at the Riverfront by not following through with the Camping area. Discussion was held on a grant submitted with assistance from Belomar.

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

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

Meeting adjourned at 8:01 p.m.

Sondra J. Hewitt, City Clerk

David Wood, Mayor