

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
APRIL 3, 2012**

The Council of the City of Moundsville met in regular session in the Council Chambers on April 3, 2012 at 7:00 p.m.

Meeting was called to order by Councilperson David Wood.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, Haynes, Remke, Simms and Wood. Absent: Saunders (ill) Mayor Wallace (family matters). Also present: City Manager Deanna J. Hess, Fire Chief Clarke, Police Chief Mitchell, Street Commissioner Richmond, Building Inspector Schneider, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.

**MINUTES:**

**Regular Council Meeting of March 20, 2012.**

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of March 20, 2012, seconded by Councilperson DeWitt. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

\* David Bledsoe, 1007 Thompson Avenue asked council when they were going to have second reading on his proposed zone change ordinance?

Councilperson Wood advised Mr. Bledsoe that council was meeting with the Moundsville Planning Commission on Tuesday, April 10, 2012 at 5:00 p.m. during the Policy Meeting.

\* Amy Toler, 27 Fostoria Avenue, wished to thank council and the Street Department for removing the dead tree near her mothers house. Also, she asked council for reassurance that campers parked on the Moundsville Volunteer Fire Department property are not going to be living quarters for pipelines only to be stored.

Councilperson Wood said that a member of the MVFD told him the campers were being stored on the property along with Port-a-Johns.

\* Jeanie Carr, 12 Jason Drive, asked for an update concerning the conditions at 329½ Thorn Avenue Rear.

Attorney White asked permission to address Mrs. Carr stating that council is out of the loop as the jurisdiction is in the court. Charges have been brought against the home owner again concerning the conditions of the property.

\* Gary Hartley, 107 13<sup>th</sup> Street, said he was under the impression that first reading on his proposed zone change ordinance was supposed to be tonight. Mr. Hartley was advised that council must direct the attorney to draft the ordinance then first reading will be April 17 and second reading will be May 1, 2012.

\* Beth Bertram, 714 Myrtle Avenue, President of Marshall County Fair announced there will be a fair in Marshall County this year. She also informed council of the construction of a new arena; new siding has been placed on the 4-H building; new stalls are being built in the horse barn; and the old sale barn has been tore down. Since receiving funds from the campgrounds, the Fair Board has been able to make repairs and new construction.

Councilperson Remke asked if the Fair Board would be opening Myrtle Avenue to 12<sup>th</sup> Street? Mrs. Bertram said the Fair Board was unable to afford the repairs on the street but also received numerous complaints from residents and Baptist Church concerning a greater amount of traffic and speeding.

\* Rick Harveth, 21 Hickory Avenue, thanked City Council and Chief Clarke for their efforts to tear the trailer down at 17 Hickory Avenue.

\* Carl Boso, 305 Tenth Street, asked council to renew his lease at the boat landing on 10<sup>th</sup> Street. He reported tearing down the old buildings, added a new pavilion, keep the grass cut and installed poles in the river to hold the docks.

## **PRESENTATION:**

### **Presentation to Sgt. Don DeWitt on Graduation from FBI National Academy.**

Chief Mitchell presented a plaque to Sgt. Don DeWitt for attending and graduating from the FBI National Academy in Quantico VA.

## **PUBLIC HEARING:**

### **Public Hearing Concerning the 2012-2013 City of Moundsville Sanitary Board Budget.**

With nobody speaking from the audience, Councilperson Wood closed the public hearing.

## **OLD BUSINESS:**

### **Other Items to be Discussed by Council.**

- \* Councilperson DeWitt asked for the lines to be painted in the city parking lot.
- \* Councilperson DeWitt asked for an update on the city's web page. City Manager Hess advised that Jim Kudlak will be attending the department head meeting on Tuesday to discuss the website.
- \* Councilperson DeWitt asked if the Street Department was finished ditching at 12<sup>th</sup> & Garfield where the water lays on Garfield Street? Street Commissioner said they have ditched the side of the road but may need to do more.
- \* Councilperson Wood said he is pleased with the news of demolishing 17 Hickory Avenue.
- \* Councilperson Wood suggested discussing goals for Council and City Manager at the Policy meeting.
- \* Councilperson Wood announced another Comprehensive Plan meeting on April 20 & 21, 2012 with Dr. Margaret Stout and staff from WVU. Host families have been secured for the students on that weekend and two rooms at the Bonnie Dwayne Bed & Breakfast for Dr. Stout and her assistant. One meeting will be held on Friday evening and two meeting on Saturday. Councilperson Wood hopes for good attendance.

**NEW BUSINESS:**

**Discussion and Adoption of the 2012-2013 City of Moundsville Sanitary Board Budget.**

Councilperson DeWitt made a motion to receive and file the 2012-2013 Moundsville Sanitary Board Budget, seconded by Councilperson Haynes. Motion carried unanimously.

**Discussion and Approval of an Ordinance Pertaining to Business & Occupation Tax Increases. (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, WEST VIRGINIA, AMENDING THE CODE OF THE CITY OF MOUNDSVILLE BY AMENDING AND REENACTING SECTIONS 745.09 AND 745.12 PROVIDING FOR INCREASING BUSINESS AND OCCUPATION TAXES ON CONTRACTING AND FURNISHING PROPERTY FOR HIRE IN THE CITY. (FIRST READING)**

Councilperson Simms made a motion to accept and approve the B&O tax increase ordinance, seconded by Councilperson Remke.

Councilperson Wood called for a voice vote. City Clerk announced the following tally.

DeWitt, Haynes, Remke, Simms and Wood voting yea. 5 yeas. Motion carried unanimously.

**Discussion of Recommendation by the Moundsville Planning Commission Changing the Zone at 107 13<sup>th</sup> Street from Central Business District (C-C) & Neighborhood Commercial District (C-N) to Highway Commercial and Integrated Commercial Centers District (C-H).**

Councilperson Simms made a motion directing the City Attorney to draft a zone change ordinance for the property at 107 13<sup>th</sup> Street, seconded by Councilperson Haynes.

Councilperson Wood called for a voice vote. City Clerk announced the following tally. Haynes, Remke, Simms, Wood and DeWitt voting yea. 5 yeas. Motion carried unanimously.

**Discussion of Recommendation by the Moundsville Planning Commission to Combine Two Lots of Property at 21 Elm Avenue into One Deed.**

Councilperson Simms made a motion to accept the recommendation by the Moundsville Planning Commission, seconded by Councilperson DeWitt. Motion carried unanimously.

**Other Items to be Discussed by Council.**

\* Councilperson Remke noticed white paint lines across Jefferson Avenue in several places, he hopes the contractor are not going to re-pave certain sections of the street. Street Commissioner Richmond advised they are marking the deeper spots in the street.

\* Councilperson Remke asked when the Sanitary Board is going to repair all the streets they have dug up? City Manager Hess advised the Sanitary Board will be repairing streets as soon as Klug Brothers open.

\* Councilperson Remke asked that City Council, the Planning Commission, Zoning Appeals Board, City Manager and Building Inspector review the zoning map of the city and possibly update the map. Councilperson Wood said they can review the map during the meeting with Dr. Stout & staff on April 20 & 21, 2012.

\* Councilperson Remke asked that purchase of an I-pad for the Building Inspector be brought before the Finance Committee.

\* Councilperson Wood commented on the increases for Comcast Cable Service and accessories.

\* Councilperson DeWitt suggested gathering information packets for visitors, such as points of interest, restaurants, events, etc., when they come to Moundsville.

\* Councilperson Wood requested the discussion at the Finance Meeting of funding of \$348.00 for two nights at Grandview Cabins for the Community Design Team (group associated with WVU & Dr. Stout and working on the Comprehensive Plan) when visiting Moundsville for a

meeting on October 11<sup>th</sup> & 12, 2012. Councilperson Wood has approached the Marshall County Commission, local banks and the oil and gas companies for assistance in funding the cost of \$5,000 to the Community Design Team.

**COUNCIL ITEMS:**

\* **Remke** - Reported a hole in the street on Morton Avenue between Second & Third Street.

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

\* **Haynes** - Requested black top to fill a sinking area at the top of Stewart Street.

\* Advised he spoke to residents of Juniper Avenue who advised they did not want the south part of Juniper Avenue opened.

\* **DeWitt** - Advised that she may be absent from the committee meetings on Tuesday, April 10, for a prior engagement.

\* **Wood** - Wished everyone a Happy Easter.

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

Meeting adjourned at 7:41 p.m.

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Sondra J. Hewitt, City Clerk

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David Wood, Councilperson