

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
DECEMBER 15, 2009**

The Council of the City of Moundsville met in regular session in the Council Chambers on December 15, 2009 at 7:00 p.m.

Meeting was called to order by Mayor David Wood.

Invocation by Councilperson K 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: City Manager Hendershot, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Watson, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt. Absent: Police Chief Kudlak.

Presentation of House Decorating Awards.

Mayor Wood presented Christmas House Decorating awards to the following residents:

First Place	Mick Tomlinson, 430 Filbert Avenue
Second Place	Martin Krumm, 1414 Second Street
Third Place	Kim Kidd, 1215 Second Street
Honorable Mention	Nancy Edgell, 1533 Fourth Street

MINUTES:

Regular Council Meeting of December 1, 2009.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of December 1, 2009, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Lester Tasker, 1407 Tenth Street, asked for more patrol on 10th Street.

* Millard Adkins, 298 11th Street, received a notice of condemnation on his property at 298½ 11th Street. Mr. Adkins informed council that he plans to remodel the property in the spring. Manager Hendershot said that Mr. Adkins needs to meet with the building inspector for permits.

OLD BUSINESS:

* Councilperson Haynes received complaints of a semi tractor trailer parked in the rear lot of the

Moundsville Volunteer Fire Department running all night. The vibration causes her wind chimes to move. Councilperson Haynes referred to City Code 527.01 Nuisance. Manager Hendershot referred this matter to the Police Department.

* Councilperson Saunders reported the boiler at Four Seasons Pool has been ordered, the pool is not in operation. Manager Hendershot informed council the boiler was being installed.

* Councilperson DeWitt reported a telephone pole at 7th & Baker Avenue has been sheared off and being held up by 2x4's. Also reported wet leaves in the street across from Grisell's makes the street slippery. Manager Hendershot noted that a letter was sent to the Telephone Company concerning the pole.

* Councilperson Saunders commented that he can see some progress at the Fostoria.

* Councilperson Young reported more complaints on the house at 7th & Magnolia Avenue. Fire Chief Clarke noted that the owner has a demolition permit for the property.

NEW BUSINESS:

Election of Mayor and Vice Mayor for 2010.

Councilperson Saunders moved to appoint David Wood as Mayor, seconded by Councilperson Haynes.

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

Councilperson Young moved to appoint Dennis Wallace as Vice Mayor, seconded by Councilperson Haynes.

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

Appointment to the Moundsville Firefighters Civil Service Commission. (Chamber of Commerce Appointment)

Manager Hendershot received a notification letter from the Marshall County Chamber of Commerce re-appointing Joseph Marsh to the Moundsville Firefighters Civil Service Commission.

Vice Mayor Wallace moved to receive and file the notification letter, seconded by Councilperson DeWitt. Motion carried unanimously.

Discussion and Approval of Fireworks Bids for 2010.

Councilperson Wallace made a motion to award the fireworks bid to Schaefer Pyrotechnics in the amount of \$8925.00, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of Hiring Consulting Firm for Brownfields Grant.

Manager Hendershot submitted recommendations for council for the proposal to provide environmental consulting services for Fostoria Clean Up Brownfields Project. Manager Hendershot recommended awarding the bid to Postesta & Associates in the amount of \$14,500.00.

Councilperson Simms moved to award the bid to Postesta & Associates in the amount of \$14,500.00, seconded by Councilperson Saunders.

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

Council's Review of City Manager.

Councilperson Saunders moved to review Manager Hendershot in an Executive Session after the regular meeting, seconded by Councilperson Haynes. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Simms asked what Governor Manchin was doing for state employees for New Years Eve? Mayor Wood said he was looking for an article in the paper but did not see one.

* Councilperson Saunders asked Manager Hendershot if Chief Kudlak was able to investigate the handicapped request on Annadale Avenue? Manager Hendershot responded that Chief Kudlak has not advised him of the status at this time.

* Councilperson DeWitt informed Manager Hendershot that Ohio Valley Ford has used cruisers for sale. Manager Hendershot noted that Chief Kudlak was aware of the cars.

MANAGER ITEMS:

Fostoria Project.

Manager Hendershot reported that Marshall County Commission sent the City of Moundsville a check for \$20,000 to help on the demolition of the Fostoria buildings. Council members suggested that Manager Hendershot sent a letter of thanks to the County Commissioners.

Discussion was held on Harold Games attending a council meeting to inform council of the progress instead of the Building Commission.

Federal Energy Efficiency Conservation Block Grant.

Manager Hendershot announced that a Federal Energy Efficiency Conservation Block Grant administered by the Regional Planning Commissions (Belomar) to assist municipalities to make their buildings more energy efficient and reducing energy waste. Manager Hendershot will be working with Belomar in preparing information to submit a grant.

Moundsville Water Board Response Letter to Highland Hills Residents.

The Moundsville Water Board responded to a petition and letter from residents of Highland Hills asking for a booster pump due to low pressure. At this time, the board will not install booster pumps but will continue to monitor the pressure.

Strand Theatre Preservation Society Grant.

The Marshall County legislative delegation, Senator Kessler, Senator Larry Edgell, Delegate Varner and Delegate Ferro, announced they have obtained a Governor's Community Participation Grant in the amount of \$10,000 for the Strand Theatre.

Vacancy on the Historic Landmark Commission.

A letter was received from commission member Tom Vickers resigning his position on the Historic Landmark Commission. Manager Hendershot noted this position will be advertised.

Storm Water Management.

Manager Hendershot informed council that he is continuing to work with Steptoe & Johnson on the Municipal Storm Water Management ordinances. Notification was received from the DEP that the time frame has been extended from January 1, 2010 to January 1, 2011 to have the entire project in place. The city needs to continue to work on the ordinances.

Legal Advertisements by Attorney White.

Attorney White presented legal ads published in the Moundsville Daily Echo to be received and filed by council.

1. Sealed Bids for 2010 Fireworks Display
2. Sealed Bids for a 2010 3/4 Ton Pick Up Truck
3. Zoning Variance for 21 Simpson Avenue
4. Zoning Variance for 2211 First Street

Vice Mayor Wallace moved to receive and file the legal ads, seconded by Councilperson Saunders. Motion carried unanimously.

Update on the Sanford Committee.

Manager Hendershot reported the committee has been going to the building on Saturdays to sort through items on site. The committee intends to hold a sale of surplus equipment in mid-January. They are moving forward with preparing leases for the incorporation and 501-C-3 status.

MAYOR ITEMS:

* Mayor Wood wished everyone a Merry Christmas & Happy New Year.

* Manager Hendershot reminded council members of the Employee Christmas Luncheon at 12:00 at the Street Department.

COMMITTEE ITEMS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Discussion of Pickup Truck Bids Received for Street Department. The Street Commissioner recommends accepting the bid from Bob Robinson Chevrolet for a 2010 Chev Silverado at a cost of \$25,611.00.

Councilperson Saunders made a motion to award the bid to Bob Robinson in the amount of \$25,611.00 using funds from the Sanitation Department Fund, seconded by Councilperson Haynes.

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

2. Discussion of Dental Insurance Quotes for 2010. Committee recommends to stay with Guardian.

Councilperson Saunders moved to stay with Guardian for Dental Insurance, seconded by Vice Mayor Wallace.

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

3. Discussion of Waiving Fees for Winter Carnival. Committee recommends waive fees

for the vendors and vendors will need to register with the Family Resource Network.

Councilperson DeWitt made a motion to waive fees for the vendors at the Winter Carnival, seconded by Councilperson Saunders.

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

Discussion and Approval of Recommendations by the Traffic Committee.

1. Discussion of Request to Install Stop Sign at Poplar Avenue & Ohio Street.

No action taken on this request.

Discussion and Approval of Recommendations by the Policy Committee.

1. Discussion and Review of Drug Free Workplace Policy for Public Improvement Contractors. Committee recommends direct the City Attorney to draft an ordinance.

Vice Mayor Wallace moved to direct the City Attorney to draft an ordinance pertaining to Drug Free Workplace for Contractors & Sub Contractors, seconded by Councilperson Young.

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

COUNCIL ITEMS:

* **Wallace** - Wish everyone a Merry Christmas & Happy New Year.

* **Young** - Happy Holidays to everyone.

* Receiving complaints concerning the stop sign at 5th & Jefferson Avenue.

* Reported the building at 2nd Street & Cedar Avenue needs cleaned up.

* Reported a tree has fallen below the horseshoe pits.

* **DeWitt** - Thanked the officers for the Shopping with Children project.

* Reported trees at 10th & Thompson Avenue hanging into the street.

* Received a request for a stop sign at 9th Street & Ash Avenue.

* **Saunders** - Asked Manager Hendershot if he contacted anyone about the graffiti on the Yellow Cab building at 4th Street & Cedar Avenue. Manager Hendershot reported sending a letter to the Cab Company.

* Announced that David White, former Planning Commission Member, is in the Glen Dale Hospital and possibly going to Morgantown.

* Wish everyone a Merry Christmas & Happy New Year.

* **Haynes** - Wish everyone a Merry Christmas & Happy New Year.

* **Simms** - Suggested giving city employees ½ day on New Years Eve. Motion was made by Councilperson Saunders and seconded by Councilperson DeWitt. Motion carried unanimously.

Vice Mayor moved to hold an executive session for personnel matters, seconded by Councilperson Simms.

Meeting recessed at 8:05 p.m.

Meeting reconvened at 8:11 p.m.

Executive Session began at 8:11 p.m.

Executive Session recessed at 8:20 p.m.

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

Meeting adjourned at 8:22 p.m.

Sondra J Hewitt, City Clerk

David Wood, Mayor