

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
MARCH 20, 2007**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on March 20, 2007 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Councilperson Mark Simms.

City Clerk called the roll and the following council persons were in attendance. Cunningham, Haynes, Vice Mayor Lemasters, Simms, Wood and Mayor Wallace. Absent: DiRemigio (ill). Also present: City Manager Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Foreman Chuck Richmond, Building Inspector Wise, Attorney Thomas White, CPA Finance Director Thomas Dobbs and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of March 6, 2007.

Councilperson Wood made a motion to accept and approve the minutes of the regular council meeting of February 20, 2007, seconded by Councilperson Simms. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Kim Brooks, 208 Eleventh Street, complained that Boso Towing is running a salvage yard, which is not permitted in the city limits nor are they licensed through the State of West Virginia.

Manager Hendershot referred this matter to the Chief of Police.

* David White, 406 Clinton Avenue, asked if the brick on Virginia Street was going to be replaced or repaired.

OLD BUSINESS:

**Discussion and Approval of an Ordinance Pertaining to Section 121.04 Term of Mayor.
(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 AND REENACTING SECTION 121.04 OF THE CITY CODE TO AMEND THE TIME FOR THE TERM OF MAYOR. (SECOND READING)

Councilperson Simms made a motion to accept and approve the ordinance, seconded by Councilperson Wood.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

Discussion and Approval of Preliminary Study from McKinley & Associates.

Mayor Wallace made a motion to accept the preliminary study from McKinley & Associates for improvement to the Municipal Facilities, seconded by Councilperson Lemasters. Motion carried unanimously.

Other Items to be Discussed by Council.

* Mayor Wallace announced to council members that problems with employees will be discussed in Executive Session not at public council meetings.

NEW BUSINESS:

Discussion and Approval of the 2007-2008 City of Moundsville General Fund Budget.

Councilperson Simms made a motion to accept and approve the 2007-2008 City of Moundsville General Fund Budget, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of an Ordinance for the Annexation of Gump Addition on Highland Avenue. (First Reading)

Attorney White asked council to table this ordinance because Mr. Gump's Attorney does not agree with the description of the parcel's listed in the ordinance.

Councilperson Simms made a motion to table the Annexation Ordinance, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of a Resolution Authorizing the City Manager to Enter into a Contractual Agreement with the Division of Criminal Justice Services to Receive and Administer Grant Funds of the COPS Digital In-Car Camera Project.

Councilperson Simms made a motion to authorize the City Manager to enter into a Contractual Agreement with the Division of Criminal Justice, seconded by Councilperson Haynes. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Lemasters asked City Manager for an update on the house at Ash Avenue. Manager Hendershot advised that the resident was found deceased in the home. Since that time, there has been some concern from the neighbors. The Chief of Police has been working with the Health Department and State Health Department. The house is now owned by BB&T who is providing a dumpster on the site.

* Councilperson Simms announced that Teletech has received an Award of Excellence and wished to congratulate them. He asked that the City of Moundsville also recognize them.

MANAGER ITEMS:

Discussion and Approval of an Access Road on Thorn Avenue to McNinch Elementary.

Councilperson Simms made a motion to refer this item to the Traffic Committee, seconded by Mayor Wallace. Motion carried unanimously.

Receive and File the 2007-2008 Sanitary Board and Water Board Budget.

Councilperson Wood made a motion to receive and file the 2007-2008 budgets for the Sanitary Board and Water Board, seconded by Councilperson Lemasters. Motion carried unanimously.

Annual Home Business Expo.

The annual Home & Business Expo will be held March 23, 24 & 25, 2007 at the Training Center inside the old prison.

WV Department of Environmental Protection.

A letter was received from WV Department of Environmental Protection reporting no deficiencies were noted during the inspection of the Sanitary Department. The department was commended for their commitment to proper operation and maintenance of the treatment facility.

Bayer Heritage Federal Credit Union Grand Opening.

The Bayer Heritage Federal Credit Union has invited the City Manager, Council and Employees to the Grand Opening of the new credit union facility at 411 Lafayette Avenue on March 31, 2007 from 9:00 a.m. to 12:00 p.m.

Cub Scout Pack #78 Feller Cake Bake.

The Cub Scout Pack #78 sent a letter of thanks for the city's support during its annual "Feller Cake Bake" Auction.

American Cancer Society's Relay for Life of Marshall County.

Volunteer Chairman, Randy Hewitt, is requesting support from the City of Moundsville for American Cancer Society's Relay for Life of Marshall County. The 2007 event is scheduled for June 22 & 23 at the Monarch Stadium.

Councilperson Simms made a motion to sent to the Finance Committee, seconded by Councilperson Wood. Motion carried unanimously.

NIMS Training.

Chief Kudlak announced that NIMS (National Incident Management System) Training is required for everyone who has any participation in any policy making for different incidents. Chief Clarke also made comment that without the training federal funding can be withheld from the municipality.

MAYOR ITEMS:

Discussion and Approval of a Mayor's Resolution Requesting Support for Continued Federal Funding for Cancer Programs.

Mayor Wallace announced that he will be signing the resolution.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Recommend to Donate \$500 to Elizabethtown.

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

2. Recommend Profits from Timbering be Allocated to the Riverfront Campground.

Councilperson Lemasters made a motion to allocate profits from timbering to the Riverfront Campground, seconded by Councilperson Simms. Motion carried unanimously.

3. Recommend the \$10,000 Match Grant Account be Allocated to Match a Private Donation for the 13th Street Park.

Councilperson Lemasters made a motion to allocate the \$10,000 match grant account to the 13th Street Park, seconded by Councilperson Simms. Motion carried unanimously.

COUNCIL ITEMS:

* **Cunningham** - Asked about the paving from 10th Street to 11th Street. Manager Hendershot advised that paving will be up to council's priority list. Ohio Street has already been approved and engineered which will be done in the spring.

* **Simms** - Reported street lights out on Lafayette Avenue by Teletech Drive.

* Commended the Police and Fire Department for the quick response to a report of a female supposedly jumping off the bridge.

* **Wood** - Thanked Tom Dobbs for the information and update on the budget.

* Gave Councilperson Haynes a letter from the principal at Park View Elementary concerning an agreement with the City of Moundsville and Marshall County School Board where Park View would take over the use of the playground.

Manager Hendershot added that the Recreation Board and Tom Sutton are aware of the request.

* Reminded Council that alley's also need some attention.

* Asked when the construction of the Jefferson Extension sidewalk is going to take place and how are the citizens going to be notified? Manager Hendershot said the project is tentatively scheduled for the end of this month and he has been in contact with Department of Highways. They will provide the city with a detour plan that will be implemented.

* **Haynes** - Reported furniture in the yard at 62½ Oak Avenue. Manager Hendershot stated several houses will be addressed.

* Also 21 Simpson Avenue broken furniture and junk needs cleaned up and the corner of Battelle and Fletcher.

* **Lemasters** - Asked for a report on Parking Meters, some meters need replaced.

* Storm Drain at 6th & Baker Avenue needs repaired.

* Asked when last time police fines were increased.

* Recreation wants dumpster at Valley Fork Park & Riverfront Park first of April.

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

Meeting adjourned at 7:56 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor