

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
FEBRUARY 2, 2010**

The Council of the City of Moundsville met in regular session in the Council Chambers on February 2, 2010 at 7:00 p.m.

Meeting was called to order by Vice Mayor Dennis Wallace.

Invocation by City Manager Hendershot.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, Haynes, Saunders, Simms, Vice Mayor Wallace and Young. Absent: Mayor Wood. Also present: City Manager Hendershot, Police Chief Kudlak, Firefighter Gary Brandon, Street Foreman Frank Stocklask, Building Inspector Wise, CPA Kathryn Goddard and Attorney Thomas White. Absent: Fire Chief Clarke, Street Commissioner Richmond.

MINUTES:

Regular Council Meeting of January 19, 2010.

Councilperson Haynes moved to accept and approve the minutes of January 19, 2010, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Lester Tasker, 1407 Tenth Street, asked for more police patrol. He asked why the city was not putting blue salt on the streets and he also asked for the bus levy.

* Brad Varlas, 1107 12th Street, representing the Moundsville Volunteer Fire Department, presented their annual report to council.

* George Kachalo, 31 Fostoria Avenue, spoke to council concerning his property line and reported his neighbor removing his survey stakes.

OLD BUSINESS:

Discussion and Approval of an Ordinance for a Sanitary Rate Increase. (Second Reading)

Attorney White read the following Sanitary Rate 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 SCHEDULES FOR THE SANITARY DEPARTMENT OF THE CITY OF MOUNDSVILLE. (SECOND READING)

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

Vice Mayor Wallace called for a voice vote. City Clerk announced the following tally. DeWitt, Haynes, Saunders, Simms and Vice Mayor Wallace voting yea. Young voting nay. 5 yeas, 1 nay. Motion carried.

Other Items to be Discussed by Council.

* Councilperson Saunders informed council of a program that Chief Kudlak has suggested that would provide take home cruisers for officers.

* Councilperson Saunders asked about the process of vacant or dilapidated structures. Manager Hendershot reported the city having two programs one being that owners of properties are cited by the police department and brought to court. The second is the structures are turned over to the Building Inspector for demolition.

Councilperson Saunders also reported the apartment complex at 7th Street & Juniper Avenue needs repaired. The owner started repairing the complex but nothing has been done lately.

* Councilperson DeWitt asked if Manager Hendershot spoke to DOH concerning a left turn lane at the 7th Street & Lafayette Avenue intersection. Manager Hendershot has not been able to speak to the engineer at this time.

* Councilperson DeWitt asked Manager Hendershot to contact DOH concerning the “dip” in Lafayette Avenue between 8th & 9th Street north bound lanes.

* Councilperson Saunders asked if there was any news on the responsibility of the houses on Poplar Avenue being damaged by the underground mines. Manager Hendershot reported DEP and the State Mine Subsidence are helping the residents with the problem.

* Councilperson Saunders asked Manager Hendershot why the gas company is tearing up the city streets. Manager Hendershot reported the gas company doing a major leak test. The leak repairs may be the responsibility of the property owner or the gas company.

* Councilperson Young asked Attorney White if it is legal to install a stop sign on Gumby’s property at Rt. 2 and Purdy Avenue?

Attorney White advised council that it is legal to install signs on city streets or city property, but the city would not be allowed to install signs on private property.

NEW BUSINESS:

**Discussion and Approval of an Ordinance concerning the Employee Policy for Vacation.
(First Reading)**

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, TO AMEND SECTION 155.07(c) (7) OF THE EMPLOYEE POLICY REGULATIONS PROVIDING FOR AN AMENDMENT TO VACATION TIME FOR CITY EMPLOYEES FOR ACCRUAL OF THREE WEEKS FOR THOSE WITH FIVE YEARS' SERVICE. (FIRST READING)

Councilperson Saunders moved to accept and approve the employee policy ordinance, seconded by Councilperson DeWitt.

Vice Mayor Wallace called for a voice vote. City Clerk announced the following tally. Vice Mayor Wallace, Simms, Saunders, Haynes, DeWitt and Young. 6 yeas. Motion carried unanimously.

Discussion and Approval of Amending the Planning and Zoning Regulations (R-G) District. (First Reading)

Attorney White read the following Planning & Zoning Regulations Ordinance by title only to be passed by council on firsts reading:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING SECTION 1381.10 OF THE CODE OF THE CITY OF MOUNDSVILLE, TO PROVIDE FOR OFF-STREET PARKING ON LOTS WITHOUT BUILDING IN GENERAL RESIDENTIAL (R-G) ZONE IN THE CITY OF MOUNDSVILLE. (FIRST READING)

Councilperson Saunders made a motion to accept and approve the planning & zoning ordinance, seconded by Councilperson Young.

Vice Mayor Wallace called for a voice vote. City Clerk announced the following tally. Simms, Saunders, Haynes, DeWitt, Young and Vice Mayor Wallace. 6 yeas. Motion carried unanimously.

Discussion of Bid Received for Garbage Truck Sale.

Manager Hendershot explained the bid received from N & N Disposal, Inc in the amount of \$15,000 is much lower that expected.

Councilperson Saunders made a motion to reject the bid received, seconded by Councilperson

DeWitt. Motion carried unanimously.

Discussion and Approval of a Resolution to Authorize the City Manager to Enter into a Loan Agreement for the Lease-Purchase of Two 2005 Police Cruisers.

Manager Hendershot noted this resolution is a step in the process of lease-purchase loan agreement the bank requires.

Councilperson Saunders moved to authorize the City Manager to enter into a loan agreement for the lease purchase of two 2005 Police Cruisers, seconded by Councilperson Young. Motion carried unanimously.

MANAGER ITEMS:

Rebate for Purchasing Credit Card.

Manager Hendershot reported that a rebate check was received for using the purchasing card. The funds will be deposited into the general fund. Council members received a copy of the check.

Legislation on Vacant Buildings.

Manager Hendershot announced that registration of vacant buildings is still moving through the legislature, the House has passed a version. Manager Hendershot will keep council updated.

Sanford Center Update.

Manager Hendershot reported that the Sanford Center held their sale two Saturday's ago. The center collected approximately \$3300 and they will continue to sell items. Unfortunately, the gas bill was \$1,000 and the electric bill was \$2600. The water leak was found to be on the city's property.

MAYOR ITEMS:

* Vice Mayor Wallace sent condolences to Phil Remke and his family for the loss of their son Christopher.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Vice Mayor scheduled a finance meeting on Tuesday, February 9, 2010 at 5:00 p.m.

Discussion and Approval of Recommendations by the Traffic Committee.

Councilperson Simms scheduled a traffic meeting following the finance meeting.

Manager Hendershot recommended to the council not scheduling a policy meeting because of budget preparations causing the finance meeting to be lengthy.

COUNCIL ITEMS:

* **DeWitt** - Reported pot holes on Morton Avenue between 10th & 11th Street and on Eighth Street near the north gate of prison.

* **Saunders** - Complained about the graffiti on the buildings in town. Manager Hendershot sent letters to owners of the buildings to have the graffiti covered up.

* Asked if the burned house on Curtis Avenue was added to the list of vacant dilapidated buildings. Manager Hendershot will have someone look into the status.

* **Haynes** - Complained that traffic moving south then turning east at First Street & Jefferson Avenue are cutting onto the lane for traffic turning north onto Jefferson Extension. Manager Hendershot will check with DOH to resolve the problem. Possibly dotted lines to guide the driver into their lane.

* **Young** - Reported pot holes on Ash Avenue between 2nd & 3rd Street and the intersection of Second Street & Cedar Avenue.

* Thank the Street Department for keeping up with fixing the pot holes.

* **Simms** - Asked that council be aware of a loading zone that was requested across from BB&T on Jefferson Avenue. This area was previously a loading zone.

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

Meeting adjourned at 7:54 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Vice Mayor