

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **OCTOBER 21, 2009**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on
5 October 21, 2009 at 7:00 p.m.

6
7 Meeting was called to order by Mayor David Wood.

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9 Invocation by City Manager Hendershot.

10
11 City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt,
12 Haynes, Saunders, Simms, Wallace, Young and Mayor Wood. Also present: City Manager
13 Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building
14 Inspector Watson, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.

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16 **MINUTES:**

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18 **Regular Council Meeting of October 6, 2009.**

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20 Councilperson Haynes made a motion to accept and approve the minutes of the regular council
21 meeting of October 6, 2009, seconded by Councilperson Saunders.

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23 Councilperson Wallace made a correction on page 2, line 21 should read "Eighth Street" not
24 "Ninth Street".

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26 Mayor Wood called for a vote on the motion as amended. Motion carried unanimously.

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28 **GENERAL PUBLIC HEARING:**

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30 Mayor Wood closed the public hearing.

31
32 **OLD BUSINESS:**

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34 **Reschedule November Council Meeting to Original Date of November 3, 2009.**

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36 Councilperson Simms made a motion to have the November council meeting to original date of
37 November 3, 2009, seconded by Councilperson Saunders. Motion carried unanimously.

38
39 **NEW BUSINESS:**

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41 **Discussion and Approval of Authorizing the City Manager to Enter into a Contract with**
42 **CGI Communications.**

1 Councilperson Simms made a motion to authorize the City Manager to enter into a contract with
2 CGI Communications, seconded by Saunders.

3
4 Mayor Wood called for a voice vote. City Clerk announced the following tally. Simms, Wallace,
5 Young, Mayor Wood, DeWitt, Haynes and Saunders. 7 yeas. Motion carried unanimously.

6
7 **Other Items to be Discussed by Council.**

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9 * Councilperson Wallace announced that the US Postal Service is considering moving the
10 Wheeling Post Office to Pittsburgh. This would impose undue hardship on so many in this area.

11
12 After some discussion, Councilperson Wallace made a motion to direct the City Manager to draft
13 a letter to United States Representatives opposing this decision, seconded by Councilperson
14 Saunders.

15
16 Mayor Wood called for a voice vote. City Clerk announced the following tally. Wallace, Young,
17 Mayor Wood, DeWitt, Haynes, Saunders and Simms. 7 yeas. Motion carried unanimously.

18
19 * Councilperson Saunders submitted a petition from residents in Highland Hills (Gump Addition)
20 requesting the City of Moundsville to provide them with a water booster pump for extremely low
21 water pressure.

22
23 Councilperson Simms made a motion to receive and file the petition, seconded by Councilperson
24 Young.

25
26 Mayor Wood called for a voice vote. City Clerk announced the following tally. Young, Mayor
27 Wood, DeWitt, Haynes, Saunders, Simms and Wallace. 7 yeas. Motion carried unanimously.

28
29 Manager Hendershot will forward a copy of the petition to the Moundsville Water Board.

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31 **MANAGER ITEMS:**

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33 **Letter of Resignation.**

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35 Manager Hendershot received a letter of resignation from Gary Nisperly submitted on October
36 19, 2009 resigning from the Moundsville Planning Commission.

37
38 **Marshall County Board of Education Transferring Sanford School.**

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40 The Board of Education will be voting to transfer the Sanford School property to the City of
41 Moundsville at their meeting tonight. Manager Hendershot suggested if the transfer is made
42 council should be available to take possession of the property. City Manager Hendershot and
43

1 Council agreed to attend the Board of Education meeting on Monday, October 26, 2009 at 7:30
2 p.m.

3
4 **Ribbon Cutting.**

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6 The Marshall County Court House held a ribbon cutting on Tuesday for completion of the
7 sidewalk and handicapped ramp.

8
9 **Fostoria Update.**

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11 Manager Hendershot reported speaking to Tom Brown, RAZE International, who received
12 tentative verbal approval from WV DEP Representative Al Carducci on the clean up of the cross
13 contaminated area on the Fostoria property. A demolition plan for the existing structures is being
14 drafted so that grant funds can be expended.

15
16 **Other Items to be Discussed by Manager.**

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18 * Manager Hendershot and Department Heads held a meeting concerning the H1N1 virus and flu
19 epidemic. The procedures were reviewed and the emergency operations plan has been in place for
20 over a year. In preparing for the worst scenario, suggestions from the department head meeting
21 were being prepared to close the front office for a week in case staff were not available and also
22 for council to authorize the city to waive late fees for the time the office would be closed.

23 Another suggestions was to authorize the City Manager to excuse absences of more than three
24 consecutive days without a doctors slip. Attorney White said the suggestions could be in a form
25 of a resolution.

26
27 Councilperson Saunders moved to authorize the City Manager to direct the City Attorney to draft
28 a resolution to waive late fees if the front office was to be closed and to excuse absences of more
29 that three days without doctors slip, seconded by Councilperson Haynes.

30
31 **Certificates of Publication by Attorney White.**

32
33 Attorney White presented legal ads published in the Moundsville Daily Echo to be received and
34 filed by council:

- 35
36 1. Telephone System Bids
37 2. Twelfth Street Sidewalk Bids
38 3. Zoning Variance 1405 Thompson Avenue
39 4. Zoning Variance 1322 Pearl Street

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41 Councilperson Simms made a motion to receive and file the legal ads, seconded by Councilperson
42 Wallace. Motion carried unanimously.

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MAYOR ITEMS:

OVRTA Bus Transportation.

* Mayor Wood asked for an update on the OVRTA bus transportation. Manager Hendershot spoke with County Commissioner Don Mason an OVRTA Board Member who suggests the City of Moundsville consider placing the bond issue on the ballot for bus service to Moundsville. Manager Hendershot suggested that council invite Mr. Hvizdos to provide council with a presentation at a finance meeting or council meeting on what the bond issue would cost, the average cost per household, and what the ridership would be. This would give council an opportunity to review what OVRTA is offering.

Mayor Wood would like to invite Mr. Hvizdos to a council meeting to make the discussion part of the record and he would like to have some of the information prior to that meeting to view.

After the Storm.

Mayor Wood was given some information from City Manager Hendershot concerning storm water drainage in Moundsville. Manager Hendershot explained the information is part of the requirements for the MS4 permit to provide public education on storm water drainage.

Other Items to be Discussed by Mayor.

24 * Mayor Wood asked that Manager Hendershot check on dumpster situation at 401 Grant
25 Avenue.

26
27 * Mayor Wood asked for an update on the Taylor property on Third Street. Manager Hendershot
28 reported Chief Kudlak gave him a list of six summons issued on several properties included Mr.
29 Taylor's.

30
31 * Mayor Wood asked council members to contact him if they wish to ride in the Christmas
32 parade.

33
34 * Mayor Wood asked for an update on the water problem at First Street & Poplar Avenue.
35 Manager Hendershot said the problem was discussed at the last Water Board meeting. There is
36 definitely water in the area causing the street to be soft underneath. The Water Department dug
37 in several areas but could not find any leaks in their lines. However, the DOH dug a huge hole
38 and found a leak on the bottom of a pipe, which was fixed by the Water Department. They are
39 still not sure if this was causing the problem or where else water is coming from.

40
41 * Mayor Wood asked if the bids have gone out for the 12th Street Sidewalk project. Manager
42 Hendershot reported the pre bid conference was done by Jack Tush with three vendors appearing.
43

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Purchase of Defibrillator for the City Building. Committee recommends to purchase the defibrillator using funds from City Hall.

Councilperson Wallace made a motion to purchase the defibrillator using funds from City Hall, seconded by Councilperson Saunders.

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.

2. Purchase of Filing System for Front Office. Committee recommends to purchase the filing system in the amount of \$4500 using grant funds.

Councilperson Wallace made a motion to purchase a filing system for the front office in the amount of \$4500 using grant funds, seconded by Councilperson Young.

Mayor Wood thanked Delegate Varner for obtaining the grant for the City of Moundsville and thanks to Councilperson Young for bringing the information to council.

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

3. Purchase of Surplus Equipment for the Street Department. Committee recommends the purchase of surplus equipment using funds from the City's investment account.

Councilperson Wallace made a motion to purchase surplus equipment for the Street Department in the amount of \$23,500 (1 ton dump truck w/ salt spreader; Massey Ferguson tractor w/ attach short boom mower; long boom mower; and salt spreader), seconded by Councilperson Haynes for discussion.

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 Saunders commented that Parks & Recreation Board is concerned about taking \$5,000 from their budget to help pay for the equipment. Manager Hendershot noted this purchase will save them money over a period of time because they can use the tractor and mower instead of weed-eaters.

Discussion and Approval of Recommendations by the Traffic Committee.

1. Discussion and Review of Request for Street Light at 706 Magnolia Avenue. Committee recommends installing a street light at 706 Magnolia Avenue.

Councilperson Simms made a motion to install a street light at 706 Magnolia Avenue, seconded by Councilperson Saunders.

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.

COUNCIL ITEMS:

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

* **Haynes** - Asked if Klug's fixed the street at 3rd & Baker Avenue where they missed when paving? Councilperson Simms also reported Klug's left a 2" lip at the alley that runs along Anderson Funeral Home to Second Street.

* **Saunders** - Asked if traffic light was ready to be taken down at 5th & Jefferson Avenue? Manager Hendershot reported the contract has been issued, the lights should be removed this week or next.

* Reported numerous complaints on the apartments at 7th & Juniper Avenue, Hartley's Apartments. Building Inspector Watson reported the owners are suppose to be working on the building.

* Reported a tree growing over the storm sewer at 7th & Washington Avenue.

* Has Harold Games received the deed for the Fostoria Property from Attorney White. Attorney White reported the deed is waiting on a signature from the Building Commission.

* **Wallace** - Reported a curb at 8th & Grant Avenue needs repaired as well at a pot hole on Grant Avenue south of Fifth Street.

* Reported a tree at 319 Ninth Street hanging over the street.

* Asked when the city was going to get rid of the piles of dirt at Valley Fork Park. Manager Hendershot thought the Parks & Recreation Board was going to wait until fall to be able to burn the debris.

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3 * **DeWitt** - Gave a few minutes to Councilperson Saunders who asked CPA Kathryn Goddard to
4 see why N. Jackson is on the Recreation Departments financial statements. And Parks &
5 Recreation Board would like to set up a meeting with Ms. Goddard to discuss their finances.

6
7 * (DeWitt) Asked if Manager Hendershot spoke to Klug's about raising the man holes. Street
8 Commissioner Richmond noted that cost was not included in the paving so the Street Department
9 will have to raise the man holes.

10 * Reported the fire hydrant at 1st & Washington Avenue needs repaired, the base is almost washed
11 out. Fire Chief Clarke will check the hydrant and report it to the Water Department.

12 * **Young** - Asked if Manager Hendershot inspected the ripples in the blacktop on 13th Street?
13 Manager Hendershot spoke with Mr. Tush who suggested scraping the brick so the asphalt will
14 stick to it better, but this will be a decision made by council on the priority paving list.

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16 * Reported water coming from a patched area at First & Poplar Avenue.

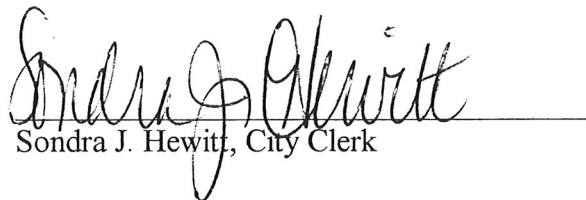
17
18 * Wished to thank the Police Department, Fire Department and Emergency Services during their
19 response to the accident on Pine Avenue.

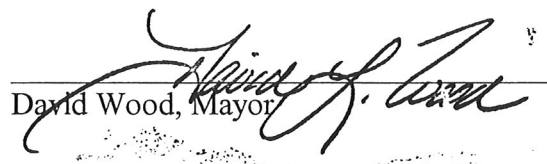
20
21 * Reported many holes on Magnolia Avenue that need repaired.

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23 Mayor Wood introduced Dara Pond, President of the Sanford Resource Center Board who
24 attended the Marshall County Board of Education meeting. Mrs. Pond reported the Board of
25 Education approved the transfer of the old Sanford School to the City of Moundsville. The
26 Sanford Resource Center will meeting on the 1st & 3rd Tuesday of the month at 4:00 p.m. at the
27 Center.

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29 Councilperson Young made a motion to adjourn, seconded by Councilperson Simms. Motion
30 carried unanimously.

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32 Meeting adjourned at 7:47 p.m.

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35 
36 Sondra J. Hewitt, City Clerk

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David Wood, Mayor