

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
APRIL 15, 2008**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on April 15, 2008 at 7:00 p.m.

Meeting was called to order by Mayor Wayne Lemasters.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: Cunningham, Haynes, Simms, Wallace, Wood and Mayor Lemasters. Also present: Acting City Manager Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Vickers, CPA Kathryn Goddard and Attorney Thomas White. Absent: City Manager Hendershot.

MINUTES:

Regular Council Meeting of April 1, 2008.

Councilperson Wood made a motion to accept and approve the minutes of the regular council meeting of April 1, 2008, seconded by Councilperson Simms. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Mark Crow, National Day of Prayer, invited council and citizens to join them in celebrating the National Day of Prayer on Thursday, May 1, 2008 at the John Marshall Football Stadium at 6:30 p.m. Mr. Crow also thanked council members for signing the proclamation.

* David White, 406 Clinton Avenue, asked if Buffalo Wild Wings has decided to build in Moundsville again. Mr. White also commented that City Manager Hendershot does not need a raise.

* Kathy Redd, 910 Parriott Avenue, reported that nothing has been done about the rat situation in her neighborhood.

Building Inspector Vickers reported inspecting the area in question and found no signs of rats or holes on the property.

Councilperson Cunningham asked council members to take a look at the property themselves to see if they can come up with some solutions.

Councilperson Simms asked for a work order for the Sanitary Crew to check the sewer line to see if the rats are coming from the sewers.

OLD BUSINESS:

Discussion and Approval of an Ordinance Pertaining to Municipal Fee Rates. (Second Reading)

Attorney White read the following ordinance by title only to be passed by council on second and final reading:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING AND REENACTING SECTION 760.01 OF THE CITY CODE TO INCREASE THE MUNICIPAL FEE RATE. (SECOND READING)

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

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

Ordinance Concerning the Election of Mayor and Vice Mayor.

Councilperson Wallace made a motion to bring from the table the ordinance concerning a date change for election of Mayor and Vice Mayor, seconded by Councilperson Simms.

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

Councilperson Wallace made a motion to amend the charter to permit council members to elect a Mayor and Vice Mayor on the last Tuesday of December to take office on the first of January of each year, seconded by Councilperson Simms.

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

NEW BUSINESS:

Discussion and Approval of the 2008-2009 City of Moundsville Levy Estimate.

Councilperson Simms made a motion to approve the 2008-2009 Levy Estimate for the City of Moundsville, seconded by Councilperson Haynes for discussion.

Councilperson Simms asked CPA Kathryn Goddard if there was an increase in the Levy Estimate? Ms Goddard stated there was an increase but not as much as she expected.

Appointment to the Sanitary Board. (Council's Appointment)

Council received a recommendation letter from Sanitary Board Chairperson Allen Hendershot and Board Member William McConnell to re-appoint Joe Richmond to the board.

Councilperson Wood made a motion to re-appoint Joe Richmond to the Sanitary Board, seconded by Councilperson Simms. Motion carried unanimously.

Other Items to be Discussed by Council.

Council's Appointment to Fill the Vacancy of Councilperson at Large.

Councilperson Wallace made a motion to fill the vacancy of Councilperson at Large with Nick James, seconded by Councilperson Simms. Motion carried unanimously.

City Clerk Hewitt swore Nick James into the position of Councilperson at Large. Councilperson James was seated with fellow council members for the remainder of the meeting.

MANAGER ITEMS:

Appointment to the Historic Landmark Commission.

Acting Manager Chief Kudlak announced that City Manager Hendershot wished to reappoint John Vitiello to the Historic Landmark Commission.

Thank You Letter to Fire Department.

The Moundsville Fire Department received a thank you letter from Craig & Melanie Madden expressing their gratitude to Chief Clarke and his staff when they assisted with a vehicle accident on Rt. 250 on the 25th of March involving their daughter Chelsea.

Councilperson Simms made a motion to receive and file the letter, seconded by Councilperson Wood. Motion carried unanimously.

Marshall County Chamber of Commerce Operation Pride Dinner.

The Operation Pride Dinner is scheduled at the Special Events in Glen Dale on Tuesday, April 22, 2008 at 6:30 p.m. Anyone wishing to attend can contact Marilyn at the City Manager's Office.

Business After Hours.

Marshall County Chamber of Commerce is presenting Business After Hours at Grand Vue Park new Banquet Building hosted by Bayer Heritage Federal Credit Union and Grand Vue Park.

MAYOR ITEMS:

* Mayor Lemasters announced that he and fellow council members signed the National Day of Prayer Proclamation for Thursday, May 1, 2008 as the National Day of Prayer.

* Mayor Lemasters reported receiving complaints about rodents and trash in the stream that separates AAA Trailer Court from City property. Owners of AAA Trailer Court also need to be notified.

* Mayor Lemasters asked Building Inspector Vickers why Brad West has not repaired the house he owns in the 1500 block of Fourth Street that was involved in a fire. Mr. Vickers reported that Mr. West is not returning calls or answering letters.

* Mayor Lemasters was excited to see Trigg Construction repairing the roof at the city garage.

* Mayor Lemasters thanked City Clerk Hewitt for transcribing the minutes to council meetings.

* Mayor Lemasters asked council members to consider paving Jackson Avenue that runs along Hartley's Marina because of pot holes and also the Riverfront Festival will be starting soon.

After some discussion, Councilperson Simms made a motion to authorize the City Manager to begin the engineering and bid process for Jackson Avenue between 13th & 14th Street, seconded by Councilperson Wallace. Motion carried unanimously.

* Mayor Lemasters asked Fire Chief Clarke if he is in the process of replacing Firefighter Shane Ullom. Chief Clarke commented that he is in the interview process now and will be making an offer of employment next Wednesday.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. The Finance Committee recommends entering into an agreement with West Liberty State College to conduct a debt analysis for building renovation program not to exceed \$5,000.

Councilperson Wallace made a motion to authorize the City Manager to enter into an agreement with West Liberty State College to conduct a debt analysis for a building renovation program, seconded by Councilperson Wood. Motion carried unanimously.

2. The Finance Committee recommends declaring by proclamation the fourth Friday of April as Children's Memorial Flag Day.

Councilperson Wallace made a motion to declare a proclamation on Friday, April 4th as Children's Memorial Flag Day, seconded by Councilperson Simms. Motion carried

unanimously.

Discussion and Approval of Recommendations by the Traffic Committee.

1. The Traffic Committee recommends installing a new street light on Jefferson Avenue between 10th & 11th Street.

Councilperson Simms made a motion to install a new street light on Jefferson Avenue between 10th & 11th Street, seconded by Councilperson Haynes. Motion carried unanimously.

2. The Traffic Committee recommends removing the traffic signal and leave the 4-way stop signs at Fourth Street & Cedar Avenue.

Councilperson Simms made a motion to remove traffic light at 4th & Cedar and install permanent stop signs, seconded by Councilperson Wood. Motion carried unanimously.

* Discussion was held on intersections that Street Commissioner Richmond has recommended be paved. Councilperson Simms made a motion to proceed with the engineering and bidding process for paving, seconded by Mayor Lemasters. Motion carried unanimously.

Discussion and Approval of Recommendations by the Policy Committee.

1. The Policy Committee recommended filling the vacant position of Councilperson at Large.

Nick James was appointed by council to fill the vacant position of Councilperson at Large.

COUNCIL ITEMS:

* **Haynes** - Asked Chief Kudlak for more patrol of Sandy Avenue, received complaints of speeders.

* **James** - Wished to thank fellow council members for appointing him in the vacant position.

* **Cunningham** - Reported the sidewalk in front of the Roller Rink needs repaired. Also, at 9th & Parriott Avenue.

* **Wood** - Would like City Manager Hendershot to give updates on the Fostoria Project and the property at 9th & Lafayette Avenue.

* **Wallace** - Wished to welcome Nick James to council.

* Receiving a lot of complaints of pot holes all over town but realizes that the Street Department is doing the best they can.

* **Simms** - Reported large pot holes at 5th & Lafayette Avenue and 5th & Tomlinson Avenue.

* Also wished to welcome Nick James to council.

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

Meeting adjourned at 7:53 p.m.

Sondra J. Hewitt, City Clerk

Wayne Lemasters, Mayor