

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
SEPTEMBER 6, 2011**

The Council of the City of Moundsville met in regular session in the Council Chambers on September 6, 2011 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation was given by City Manager Allen Hendershot.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, Haynes, Remke, Saunders, Simms, Wood and Mayor Wallace. Also present: City Manager Hendershot, Police Chief Mitchell, Asst. Fire Chief Walker, Street Foreman Stocklask, Building Inspector Schneider, CPA Kathryn Goddard and City Clerk Hewitt. Absent: Fire Chief Clarke, Street Commissioner Richmond, Attorney Thomas White.

MINUTES:

Regular Council Meeting of August 16, 2011.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of August 16, 2011, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Mike McKowen, Charles & Associates, Oil & Gas Association of WV, presented council with slides and explained the positive side of fracturing gas in Marshall County.

* Dara Pond, Sanford Center, presented council with a financial report and on going activities at the Sanford Center.

OLD BUSINESS:

Discussion and Approval of a Zone Change Ordinance for Property Located at the Corner of Thompson Avenue & 10th Street. (Second Reading)

City Manager Hendershot 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, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA ADJACENT TO THE CORNER OF 10TH STREET AND THOMPSON AVENUE IN THE CITY OF MOUNDSVILLE FROM A MULTI-FAMILY RESIDENTIAL ZONE TO A COMBINED

**CENTRAL BUSINESS AND HIGHWAY COMMERCIAL AND INTEGRATED
COMMERCIAL CENTERS ZONE. (SECOND READING)**

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

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

Other Items to be Discussed by Council.

* Councilperson DeWitt asked why MEDC is not advising festival events to use the parking lot at the south end of the building instead of parking in front of residences? Manager Hendershot noted that MEDC was probably not aware they could use that parking lot, but he will send them a letter.

* Councilperson Remke asked if the city was working on the Comprehensive Plan? Manager Hendershot advised that information was provided the council in their packet.

* Councilperson Remke requested the sign ordinance be discussed at the next policy meeting.

* Councilperson Remke requested something be done about residents who allow their porches to fill up with junk. Manager Hendershot suggested that council pass an ordinance if they wish to tell residents what they can and can not place on their porches.

* Councilperson Remke asked if the Police Department was using the scales? Chief Mitchell reported he and officers are supposed to meeting with Department of Transportation and have scheduled a program for officer to learn how to utilize the scales.

* Councilperson Wood asked Manager Hendershot to schedule a meeting with GAB to discuss Fostoria again.

* Councilperson Saunders reported numerous people with residences in Moundsville with OH plates on their vehicles. Chief Mitchell, in conjunction with Marshall County, are working together to eliminate this problem.

* Councilperson Saunders reported attending a Neighborhood Crime Watch meeting Monday, August 29 at Trinity Baptist Church. Another meeting has been scheduled for Monday, September 26 at 6:00 p.m., at the Trinity Baptist Church.

NEW BUSINESS:

Discussion of Changing the Council Meeting of October 4, 2011. (Special Election)

After discussion, Councilperson Simms made a motion to moved regular council meeting to Monday, 7:00 p.m., seconded by Councilperson Haynes.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Mayor Wallace, Haynes, Remke and Simms voting yea. DeWitt, Saunders and Wood voting nay. 4 yeas, 3 nays. Motion carried.

Discussion and Approval of a Resolution to Renew the Hazardous Mitigation Plan for Region 10.

Councilperson Simms made a motion to renew the resolution for the Hazardous Mitigation Plan for Region 10, seconded by Councilperson DeWitt. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Remke wants council to draft a policy that makes the land owners in the process of selling their property responsible for keeping the grass cut. Manager Hendershot advised that technically, property owners are responsible for keeping their property clean until the new buyer takes possession of the property.

* Councilperson Saunders asked for a date for judging houses for Halloween contest. Councilperson Saunders, DeWitt and Remke will judge houses on October 28, 2011 and present awards at November 1, 2011 council meeting.

* Councilperson Remke announced that council members were invited to an open community reception and celebration of 50 years in the Gospel Ministry for Rev. J Thomas Steele at the Moundsville Baptist Church on Saturday, September 17, 2011 from 11:30 a.m. to 1 p.m. in the Moundsville Baptist Gymnasium.

* Councilperson Remke asked for permission to use the city parking lot behind the Strand Theater as a food court during the Fall Festival & Zombie Walk on September 24, 2011. Council agreed to permit usage of the city lot.

* Councilperson Wood hopes to discuss a policy pertaining to salaried employees using comp time to report to another job.

* Councilperson DeWitt asked that installing “no loitering” signs be discussed at the Traffic Committee meeting for the Riverfront Park parking lot. Kids have been loafing & leaving trash.

* Councilperson DeWitt suggested the possibility of assigning a dumpster to residents that need to clean up their property at no cost to them. Councilperson DeWitt referred this to the Finance Committee.

Proposed Zoning Change Recommendations by the Moundsville Planning Commission.

Councilperson Simms made a motion to direct the City Attorney to draft ordinances for a zone change at 1107 12th Street from Industrial (I) to a Special Conservation (S-C) and 10 & 12 Mulberry Avenue to combine two lots of property onto one deed, seconded by Councilperson Wood. Motion carried unanimously.

MANAGER ITEMS:

City of Moundsville Comprehensive Plan.

Manager Hendershot provided council with a copy of an email from Margaret Stout, WVU Faculty Member, who will offer her services to assist the City of Moundsville update their Comprehensive Plan. She would like to meet with council on a Friday evening or Saturday morning.

Marshall County Chamber of Commerce Dinner.

The Marshall County Chamber of Commerce Annual Dinner will be held on September 29, 2011 at the Moundsville Training Center (behind old penitentiary); social hour at 5:30 p.m., and dinner at 6:30 p.m.

Community Partnership Grant.

Manager Hendershot announced the city has received award notification of a \$10,000 grant from the Community Partnership Grant Program to be used for repairs to the Four Seasons Pool.

Update on Jefferson Avenue Project.

Manager Hendershot reported that concrete works was being completed Tuesday, September 6 on Jefferson Avenue between Third Street & Fifth Street. Ditches have been concreted, as soon as the asphalt can be applied this section will be reopened. Jefferson Avenue between Second Street & Third Street will begin next week.

Also, the digester lid has been demoed, tank walls have been repaired but they are waiting for new lid to be fabricated.

Commercial Insurance Reviewing City's Policies.

Manager Hendershot reported that the Personnel Policies have been reviewed by Ashley Burton. After completion, she will forward to council for their approval.

Moundsville Bridge Painting Project.

Manager Hendershot announced the Moundsville Bridge Painting Project is moving forward. This is a \$5 million total project. Business & Occupation Tax going to the City of Moundsville will be \$55,000. The job will be split into two phases. Phase I will finish Winter 2011 and Phase II will start Spring 2012.

Jefferson Avenue Extension Bridge Project.

A meeting for the Jefferson Avenue Extension Bridge project is scheduled for Wednesday, September 7, 2011 at 11:00 a.m.

Lafayette Avenue Light Project.

Manager Hendershot announced the State of West Virginia has engineered a street light project for WV Rt.2 and the Arch Moore Bridge.

City Council Room Light Project.

Manager Hendershot reported the City Council Room Light project is in the process. Building Inspector Schneider announced bids are due September 22, 2011. Work will start October 3, 2011.

City of Moundsville Audit for 2010 & 2011.

Moundsville will need to advertise a Request for Proposal for the fiscal year 2010 & 2011. CPA Kathryn Goddard is working with Attorney Thomas White to draft the Request for Proposal (RFP).

Thank You Letter for Police Officers.

Manager Hendershot received a letter thanking Police Officers Dylan Schrack and Doug Sayman for their professionalism and concern after her dog was attacked by another dog.

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

Legal Advertisements.

Manager Hendershot presented legal advertisements published in the Moundsville Daily Echo to be received and filed by council:

1. Removal of Joseph Marsh from Fire Civil Service Board
2. Zoning Variance for 2416 Fourth Street

3. Zoning Variance for 329½ Thorn Avenue
4. Zoning Variance for 2101 12th Street
5. Zoning Variance for 114 Jefferson Avenue
6. Zoning Variance for 1107 12th Street

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

National League of Cities Member.

Manager Hendershot announced that since the City of Moundsville is a member of the West Virginia Municipal League they are affiliate members with the National League of Cities, which can assist Moundsville when hiring another City Manager.

Letter of Resignation.

City Manager Hendershot read and submitted to council his letter of resignation effective January 1, 2012.

Mayor Wallace moved to accept, receive and file City Manager Hendershot's letter of resignation, seconded by Councilperson DeWitt. Motion carried unanimously.

MAYOR ITEMS:

* Mayor Wallace congratulated Manager Hendershot on his retirement.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Councilperson Saunders scheduled a finance meeting on Tuesday, September 13, 2011 at 5:00 p.m.

Discussion and Approval of Recommendations by the Traffic Committee.

Councilperson Simms scheduled a traffic meeting following the finance meeting.

Discussion and Approval of Recommendations by the Policy Committee.

Councilperson Wood scheduled a policy meeting following the traffic meeting.

COUNCIL ITEMS:

* **DeWitt** - Asked for an update of injured Sanitary Worker. Manager Hendershot advised that

he is back to work on light duty.

* Congratulations to Manager Hendershot on his retirement.

* **Saunders** - Asked when Klug's will begin paving? Manager Hendershot advised as soon as they complete their previous paving projects.

* Wished to thank the Street Department for the work they did at 7th & Juniper Avenue.

* Asked for patrol again at Jackson Street & Poplar Avenue, vehicles rolling through stop sign.

* Congratulations to Al on his retirement.

* **Haynes** - Asked Building Inspector Schneider to speak with owner of 81 Highland Avenue concerning a fence he wants to install.

* Reported a tree from the grave yard fell on the building at 31 Fostoria Avenue.

* **Remke** - Asked when will the owners be finished tearing down the house at 107-109 Sycamore Avenue. They also did not have a permit to tear down the house. Building Inspector Schneider advised he will check with Building Inspector Mercer.

* Congratulations to Al on his retirement.

* **Wood** - Congratulations to Marc Baker on his appointment as the Parks & Recreation Director.

* **Simms** - Asked when the light pole will be replaced on the lot behind Allen's Bootery? Manager Hendershot advised he wasn't sure of the status on that light pole.

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

Meeting adjourned at 9:20 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor