

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
OCTOBER 1, 2013**

The Council of the City of Moundsville met in regular session in the Council Chambers on October 1, 2013 at 7:00 p.m.

Meeting was called to order by Mayor Eugene Saunders.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, D. Haynes, P. Haynes, Remke, Simms, Wood and Mayor Saunders. Also present: City Manager Deanna J. Hess, Firefighter Brandon, Police Chief Mitchell, Street Foreman Stocklask, Building Inspector Richmond, Kathryn Goddard, Attorney Thomas White, and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of September 17, 2013.

Councilperson P Haynes moved to accept and approve the minutes of the regular council meeting of September 17, 2013, seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* William Smith, 1010 Morton Avenue, complained that property owner of 1013 Morton Avenue is not taking care of his property. Building Inspector Richmond noted the individual was cited and should be appearing in municipal court on October 3, 2013.

* Tom Doyle, 103 Cherokee Drive, said that WalMart cleaned up the dirt and gravel on the roadway entering WalMart from Jefferson Avenue, but would like to see some vegetation on the hillside. He also reported the drain at the intersection of WalMart Drive & Jefferson Extension being clogged from the dirt & gravel.

* Patricia Blake, 1018 Morton Avenue, reported neighbors letting their cats run loose and they tend to dirty in her yard and flower beds. Attorney White informed Mrs. Blake that Moundsville's leash law pertains to cats also.

* Carl Boso, 305 10th Street, reported his daughter received a parking meter ticket on Seventh Street but the meter attendant does not ticket the hot dog cart that is taking up a meter.

OLD BUSINESS:

Discussion of Implementing an Ordinance for the Purpose of Prohibiting Drilling in the City of Moundsville of Ground Water in a Restricted Use Area. (Layman's Auto Repair) (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, TO ESTABLISH A RESTRICTED USE AREA IN THE CENTRAL PORTION OF THE CITY OF MOUNDSVILLE FOR THE PURPOSE OF PROHIBITING THE DRILLING INTO AND THE EXTRACTION OF GROUNDWATER WITHIN THE RESTRICTED USE AREA. (SECOND READING)

Councilperson Wood moved to accept and approve the above ordinance seconded by Councilperson DeWitt.

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

Other Items to be Discussed by Council.

* Councilperson Wood asked for an update on Fostoria Property. Manager Hess advised she has not received any information.

* Councilperson Remke asked for council to re-evaluate the requested for 4 way stop at 7th Street & Poplar Avenue. Councilperson Wood noted this matter was discussed at the Traffic Committee meeting and the decision was to leave as is.

* Councilperson Remke asked for that status of the paving on Jefferson Avenue. Manager Hess noted she will be attending a meeting with DOH.

* Councilperson Remke asked Councilperson Wood to read a letter to the US President that he hopes council members will agree to send. After reading the letter, Councilperson Remke moved to send this letter to the Policy Committee for a vote, seconded by Councilperson D. Haynes. Motion carried unanimously.

* Councilperson DeWitt thanked the City Clerk for updating the minutes on the website.

NEW BUSINESS:

Resolution of the Council of the City of Moundsville Authorizing City Manager to Enter Into a Contractual Agreement with the Division of Justice & Community Services to Receive and Administer Grant Funds.

Councilperson Simms moved to authorize the City Manager to enter into a contractual agreement with the Division of Justice & Community Services, seconded by Councilperson P Haynes. Motion carried unanimously.

Discussion and Approval of an Abandonment Requested by the Marshall County Commission for Property Located Behind the Former Jozabeth Building. (First Reading)

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

AN ORDINANCE VACATING, ABANDONING AND ANNULLING A PORTION OF AN ALLEY INTERSECTING THE WEST SIDE OF TOMLINSON AVENUE AND RUNNING BETWEEN SEVENTH AND EIGHTH STREETS AND ITS INTERSECTING ALLEY GOING TO EIGHTH STREET (MARSHALL COUNTY COMMISSION) (FIRST READING)

Councilperson Simms moved to accept and approve the above ordinance, seconded by Councilperson DeWitt.

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

Other Items to be Discussed by Council.

* Councilperson Wood asked for committee meetings to be scheduled for Wednesday, October 9, 2013.

Councilperson Simms moved to schedule committee meeting Wednesday, October 9, 2013, seconded by Councilperson D Haynes. Motion carried unanimously.

* Councilperson Remke asked City Clerk to explain a situation that occurred on Monday, September 30, 2013, concerning a citizen that had their water shut off. After clerk explained the conversation, Councilperson D. Haynes (Water Board Member) said he would look into the matter.

* Councilperson Remke questioned Councilperson D. Haynes asking if the citizens of Moundsville pay the same water rates as citizens of Hillview Terrace and Maxwell Acres. Councilperson D. Haynes said they pay the same rates. Rates which are imposed by the Public Service Commission.

* Councilperson Remke made a motion to request from Fire Chief Clarke the number of calls

they receive, number of cancelled calls and all 911 calls, seconded by Councilperson D. Haynes. Motion carried unanimously.

MANAGER ITEMS:

* Manager Hess wished to thank everyone who attended the memorial service for her father in law, Victor E. Hess.

* Manager Hess reminded council members of a ribbon cutting for Signature Spa, Wednesday, October 2 at 1:30 p.m.

MAYOR ITEMS:

* Mayor Saunders announced the playground equipment for Park View has been ordered and will be installed in about 2 weeks.

* Mayor Saunders reported vehicles not stopping at stop signs at 4th & Cedar Avenue and Jackson Street & Pine Avenue. Requested more patrol.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee.

The Finance Meeting is scheduled for October 9, 2013 at 5:00 p.m.

Discussion of Recommendations by the Policy Committee.

The Policy Committee will follow the finance meeting.

Discussion of Recommendations by the Traffic Committee.

The Traffic Committee will follow the policy meeting.

COUNCIL ITEMS:

* **D. Haynes** - Nothing at this time.

* **P. Haynes** - Nothing at this time.

* **DeWitt** - Nothing at this time.

* **Remke** - Wished to thank the City of Moundsville for their help of the Fall Festival that was cancelled on Saturday, September 21, 2013.

* Reported the walk sign at Third Street & Jefferson Avenue is not working.

* Reported old vehicles setting in the former Dales Pontiac lot need addressed. Manager Hess

noted the vehicles have been addressed. Attorney White advised that Dales Pontiac owns that property, they also have a car lot business which permits them to park vehicles in that lot.

* **Wood** - Nothing at this time.

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

Councilperson Simms moved to adjourn, seconded by Councilperson P. Haynes. Motion carried unanimously.

Meeting adjourned at 7:50 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor