

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE, JUNE 1,**
2 **2010**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers
5 on June 1, 2010 at 7:00 PM.

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

8
9 Invocation was given by City Manager Allen Hendershot.

10
11 Acting City Clerk Ankrom called the roll and the following councilpersons were in
12 attendance: Haynes, Saunders, Wallace, Young and Mayor Wood. Absent were
13 Councilpersons DeWitt, due to recent surgery, and Simms. Also present: City Manager
14 Hendershot, Police Chief Kudlak, Fire Chief Clarke, Public Works Foreman Stocklask,
15 Building Inspector Mercer, CPA Goddard, Attorney White and Acting Clerk Ankrom.
16 Absent was Public Works Director Richmond and City Clerk Hewitt due to vacations.

17
18 **MINUTES:**

19 **Regular Council Meeting of May 18, 2010**

20 Councilperson Saunders made a motion to accept the minutes of the regular Council
21 meeting of May 18, which was seconded by Councilperson Haynes. Motion carried
22 unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25 *George Kachalo, 31 Fostoria Avenue, again presented complaints directed toward a
26 neighbor who continues to harass him.

27
28 *Brad Varlas, 1107 12th Street, thanked Council for improving the 12th Street sidewalk and
29 encouraged them to seek grant funding to finish repairing cracked and/or uneven portions
30 and removing steps. He also stated that he and Trevor Goode were available to answer
31 any questions relating to the contract renewal with the Moundsville Volunteer Fire
32 Department.

33
34 Mayor Wood noted that Brian Schambach had to cancel his appearance at this evening's
35 Council meeting.

36
37 **OLD BUSINESS:**

38 **Discussion and Approval of Recommended Changes to the Moundsville Sanitary**
39 **Board Tariff**

40 Manager Hendershot noted that no Council action is required; this is just an update on the
41 Public Service Commission's recommendation to dismiss the Sanitary Board's Rule 42.
42 The Board, through attorney Jim Kelsh, filed a petition addressing the PSC's

1 recommendation, and the “Show Cause” Petition, which has since been dismissed. The
2 Tariff itself is now awaiting PSC response. Manager Hendershot reminded that a second
3 rate increase will not go into effect until the construction phase is complete, which is at
4 minimum 18 months away. Mayor Wood took offense to the PSC's accusation that the
5 Board's practices were “...unjust, unreasonable, unjustly discriminatory and otherwise in
6 violation...” Manager Hendershot noted the PSC is simply becoming more strict in
7 following regulations that have always been in place.

8

9 **Receive and File Amendments to the 2010-2011 Water Board Budget**

10 Manager Hendershot noted the Water Board made minor adjustments in order to have a
11 “Proforma” conducted so they meet Public Service Commission's requirements to set
12 figures for another rate increase. Councilperson Wallace made the motion to receive and
13 file the 2010-2011 Water Board Budget. Councilperson Haynes seconded, and the motion
14 carried unanimously.

15

16 **Other Items to be Discussed by Council**

17 *Councilperson Saunders questioned the delay in installing a street light on Curtis
18 Avenue. Manager Hendershot stated the order has been placed with American Electric
19 Power; he will check to see if they have a projected date of installation.

20

21 *Councilperson Saunders asked about the status of the burned house on Curtis Avenue.
22 Building Inspector Mercer is not familiar with the issue at this time.

23

24 *Manager Hendershot explained a contractual agreement has been entered into with
25 Thrasher Engineering for work at the Fostoria property. The Department of
26 Environmental Protection has the work plans; and contaminated debris removal has
27 begun. The first level of the roof has been removed from the Administration Building;
28 and demolition will more noticeable as clean up continues. Council again expressed a
29 desire for regular updates.

30

31 *Councilperson Haynes questioned working status of the street sweepers. Foreman
32 Stocklask informed the Street Department has been short-handed lately; and the air
33 sweeper is in Pittsburgh being repaired. Bids for a new sweeper should be received by
34 the next meeting. Manager Hendershot suggested not investing any more money in
35 repairs to the old sweeper.

36

37 *Councilperson Young asked about new information on the Police and Fire Pension funds.
38 Manager Hendershot noted the actuary is still working on the study of the funds, which
39 should be available this month. He explained the General Fund has stopped making
40 contributions to both funds due to assurance from Hallett Associates and the State actuary
41 that enough funds have been invested to meet this fiscal year's obligation.

42

1 **NEW BUSINESS:**

2 **Discussion and Approval of a Resolution to Renew the Contract with the**
3 **Moundsville Volunteer Fire Department**

4 Mayor Wood noted the three-year contract will cost about \$74,000.00 per year, which was
5 already approved during the budget process. Councilperson Wallace made a motion to
6 approve the resolution to renew the VFD contract. Motion was seconded by
7 Councilperson Haynes. Mayor Wood called for a roll call vote, and Acting Clerk Ankrom
8 announced the following tally: 5 yeas. Motion carried unanimously.
9

10 **Discussion and Approval of a Bus Levy Ordinance for the City of Moundsville (First**
11 **Reading)**

12
13 Attorney White read the ordinance by title only:

14 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE**
15 **PROVIDING FOR A SPECIAL LEVY VOTE BY SEPARATE BALLOT AT THE**
16 **REGULAR ELECTION OF NOVEMBER 2, 2010, TO AUTHORIZE**
17 **ADDITIONAL TAX LEVIES FOR THE FISCAL YEARS BEGINNING JULY 1,**
18 **2011, JULY 1, 2012, AND JULY 1, 2013, TO PROVIDE FUNDS FOR THE CITY'S**
19 **SHARE OF FUNDING FOR ANY DEFICIT OF OPERATING COSTS AND THE**
20 **COSTS OF ACQUIRING CAPITAL EQUIPMENT AND FACILITIES FOR THE**
21 **SAME PERIOD FOR A SYSTEM OF URBAN MASS TRANSIT TO BE**
22 **PROVIDED BY THE OHIO VALLEY REGIONAL MASS TRANSPORTATION**
23 **AUTHORITY (FIRST READING)**
24

25 Councilperson Saunders made a motion to approve the ordinance on first reading, which
26 was seconded by Councilperson Young. Mayor Wood called for a roll call vote, and
27 Acting Clerk Ankrom announced the following tally: 5 yeas. Motion carried
28 unanimously.
29

30 **Discussion and Approval of a Budget Revision #3 for the 2009-2010 the General**
31 **Fund**

32 CPA Goddard noted a decrease in the Building Inspection Department Budget, due to
33 turnover, and some reclassifications were made. Councilperson Wallace made a motion
34 to approve Budget Revision #3, for discussion; Councilperson Saunders seconded. CPA
35 Goddard explained the difference between the Street & Highways, which covers
36 miscellaneous supplies; and Street Construction which consists of paving costs.
37 Corrections were also made in the Recreation budget. Adjustments were made after the
38 May financials were verified and corrected. Manager Hendershot estimated \$200,000.00
39 should be available for late summer paving. Mayor Wood called for a roll call vote, and
40 Acting Clerk Ankrom announced the following tally: 5 yeas. Motion carried
41 unanimously.
42

1 **Other Items to be Discussed by Council**

2 Discussion was raised about having the financial reports available in advance of meeting
3 nights so that members can review. Manager Hendershot and CPA Goddard explained
4 that the scheduling of the Finance meeting plays a large part in having the reports
5 prepared, especially when they fall early in the month.

6
7 **MANAGER ITEMS:**

- 8 • Manager Hendershot is still working with BelOMar on the energy efficiency grant to
9 provide new windows, heating & air conditioning system, and high-efficiency lighting
10 for the City building. Chief Kudlak helped prepare photos for the State Historic
11 Preservation Office.
- 12
- 13 • Manager Hendershot attended the AWWA/WEA conference last week and obtained a
14 lot of helpful information.
- 15
- 16 • Manager Hendershot received an offer from Chesapeake Appalachia LLC pertaining
17 to their interest in drilling for gas under the Valley Fork Park facilities. Chesapeake is
18 offering just under \$2,800.00 per acre for 53 acres and 18% royalties for five years
19 from any gas obtained. Attorney White is reviewing the lease. Manager Hendershot
20 has emphasized to Chesapeake the City's desire to not hinder citizen activities at the
21 parks; and with today's capabilities, Chesapeake can drill from up to a mile away from
22 the site. Attorney White explained it may be possible to negotiate how far away the
23 wells should be; however, this could affect the royalty percentage. Negotiations will
24 continue, but the City's main concern will always be preservation of the parks.
- 25
- 26 • Manager Hendershot reminded Council the Jefferson Avenue Car Show is June 4. He
27 commended Jim Pettit for being the “driving force” behind continuing the show every
28 year.
- 29
- 30 • Manager Hendershot introduced the new Building Inspector, Brandon Mercer.

31
32 **MAYOR ITEMS:**

- 33 • Mayor Wood expressed, on behalf of Councilperson DeWitt, a desire to have City-
34 maintained property put on a regular cutting schedule during the summer. Residents
35 in the affected areas would then be at ease, knowing that unkempt property would be
36 addressed in a more timely manner. Two areas of concern at present are 1121 8th Street,
37 the corner of Grant Avenue, and 1st Street, across from Smith Mart, where a house was
38 demolished.
- 39
- 40 • Mayor Wood asked about the Sanford Center. Manager Hendershot informed several
41 renters are occupying; paint work is continuing, and the roof has been repaired.

- 1 • Mayor Wood broached conversation about the Knights of Pythias building, to which
2 Chief Kudlak has obtained keys and is analyzing the usefulness of the building. The
3 Police Department is also still interested in using the former State Police Barracks.
4 Manager Hendershot wants to give serious consideration to which building would be
5 the best investment of any surplus funds remaining at the end of the fiscal year.
6
- 7 • Mayor Wood asked Chief Kudlak about recent training he attended in New Mexico.
8 Chief Kudlak noted the training was about incident response to suicide bombers and
9 was very intense and beneficial. All expenses were covered by the federal government.
10
- 11 • Mayor Wood questioned Chief Clarke about mine subsidence on 2nd Street. Chief
12 Clarke has been unable to obtain any recent information.
13
- 14 • Mayor Wood thanked Councilperson Saunders for organizing the coal mine tour,
15 which was very impressive.
16

17 **COMMITTEE REPORTS:**

18 **Discussion and Approval of Recommendations by the Finance Committee**

19 Vice Mayor Wallace called a Finance Committee meeting for June 8, 2010 at 5:00 PM.
20

21 **Discussion and Approval of Recommendations by the Traffic Committee**

22 Councilperson Saunders called a Traffic Committee meeting immediately following
23 Finance.
24

25 **Discussion and Approval of Recommendations by the Policy Committee**

26 A Policy Committee meeting will immediately follow the Traffic Committee meeting.
27

28 **COUNCIL ITEMS:**

29 ***Young** – Has received complaints about debris piled along the walking trail at Valley
30 Fork Park. Chief Clarke confirmed a burn permit was issued, and the recent burn ban has
31 been lifted.

32 * Raised discussion about re-posting mileage markers along the trail. The Sign Shop
33 could make new signs, to which Foreman Stocklask recommended painting the markers
34 on the trail itself.
35

36 * **Wallace** – Nothing at this time.
37

38 * **Haynes** – Mentioned to Foreman Stocklask that there is a pothole in the alley behind
39 the Volunteer Fire Department.
40

41 * **Saunders** – Noted there is an odor emitting from the high grass at 8th Street and Grant
42 Avenue.

- 1 * Asked how many tenants currently occupy rooms at the Sanford Center, and if any are
- 2 youth groups. Manager Hendershot noted three groups currently occupy four units, but
- 3 none are youth-oriented organizations. The Sanford Board will be removing carpet that
- 4 got wet from the roof leakage.
- 5 * Thanked whoever cut the grass at 3rd and Penn Streets.
- 6 * Noted to Foreman Stocklask there are a few potholes in his neighborhood.
- 7 * Agreed the Annadale Avenue property is being taken care.

8
9 Councilperson Wallace made a motion to enter into Executive Session for personnel
10 matters, which was seconded by Councilperson Saunders.

11
12 Regular Session ended at 7:48 pm for a two-minute recess.

13
14 Executive Session began at 7:50 pm.

15
16 Executive Session adjourned at 8:13 pm.

17
18 Councilperson Wallace made a motion to receive and file the legal ad for a zoning petition
19 for Thomas Schorr at 2605 2nd Street. Councilperson Haynes seconded the motion, which
20 carried unanimously.

21
22 Councilperson Saunders made the motion to adjourn, which was seconded by
23 Councilperson Wallace. Meeting adjourned at 8:15 PM.

24
25
26
27
28 _____
Karen L Ankrom, Acting City Clerk

David Wood, Mayor