

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
APRIL 6, 2010**

The Council of the City of Moundsville met in regular session in the Council Chambers on April 6, 2010 at 7:00 p.m.

Meeting was called to order by Mayor David Wood.

Invocation by City Manager Allen Hendershot.

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

Mayor Wood asked for a moment of silence in remembrance of the coal miners who lost their lives in the Raleigh County mine and four miners who are still unaccounted for.

MINUTES:

Regular Council Meeting of March 16, 2010.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of March 16, 2010, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Joe Marcinek, National Men's Softball League spoke to council asking permission to use ballfields in Moundsville to hold a men's national softball tournament. Council informed Mr. Marcinek that he will have to speak with the Parks & Recreation Board at their meeting Thursday, April 15, 2010 at 6:30 p.m.

* Jeremy Harrison, Mt. Olivet, owner/operator JS Harrison Properties, enlightened council on his project to create affordable rental space for organizations that help abused and neglected women and children and provide assistance to our country's military veterans.

* George Kachalo, 31 Fostoria Avenue, spoke to council concerning his property line and surveying stakes that were removed by his neighbor.

* Glenn Kesselring, 1108 5th Street, asked council for speed limit signs or children play signs in the area of 5th Street & Grant Avenue. Council asked Chief Kudlak to have officers patrol the area more.

Public Hearing on Brownfields Specifications.

Manager Hendershot reported that three public hearings are required on the Brownfields Grant. Council agreed on option #2 abate the buildings first, demolish the buildings later and expedite the cleanup. Council was provided time lines of the process. The city will be advertising at seven days apart, Class II legal ads on April 9 & April 16, 2010. Pre-bid will be April 20 and bids are due April 29, 2010. Thrasher Engineering will then have the opportunity to review the bids and ensure the bids meet the specifications. Thrasher will make a recommendation to the City Manager who will then advise council at the May 4 council meeting where a contract agreement will be awarded to one of the bidders.

Mayor Wood closed the public hearing on the Brownfields specifications.

OLD BUSINESS:

Discussion of MS-4 Storm Water Permit Project.

Manager Hendershot received from Mr. Stranko information concerning the MS-4 Water Permit and as the process proceeds with passing the ordinance council will have to make some decisions that the City Manager will then place on the Policy Committee agenda.

Other Items to be Discussed by Council.

* Councilperson Dewitt announced that she has been helping with "Project Lifesaver" sending letters to businesses for support. Also, a steak fry is scheduled at the Moundsville Volunteer on April 30, 2010.

Police Chief Kudlak commented that Officer Scott Farris is still involved with the project and commended Fire Chief Clarke and Councilperson DeWitt for moving forward with this project.

* Councilperson Young received more complaints on the house at 7th & Magnolia Avenue. Chief Clarke noted the owner did obtain demolition permits which are good for 6 months.

* Councilperson DeWitt had some concerns about the Planning Commissions discussion on the Remke property on Second Street. Attorney White said that he would provide information for the Planning Commission concerning this request. Council also discussed updating the Comprehensive Plan.

* Councilperson Saunders updated council on the Parks & Recreation Board meeting. The board voted to increase the fees for use of the ballfields and to require a contract signed by the Baseball Association.

* Councilperson Saunders updated council on the Skateboard Park. The board approved

building the skateboard facility inside the present tennis courts.

NEW BUSINESS:

Receive and File the Moundsville Water Board 2010-2011 Budget.

Councilperson Simms made a motion to receive and file the Moundsville Water Board 2010-2011 Budget, seconded by Councilperson Wallace.

Mayor Wood called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Discussion of Abandonment of Alley East of Garfield Street, North of Twelfth Street.

Attorney White reported that he is waiting on the final word from the City Engineer. Councilperson Saunders made a motion to table this matter until final word from the City Engineer, seconded by Councilperson DeWitt. Motion carried unanimously.

Discussion and Review of Changes to City Code Section 171.15, Reinstatement Fee – Driver’s License. (First Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING SECTION 171.15 TO THE MUNICIPAL CODE OF THE CITY OF MOUNDSVILLE TO INCREASE THE ADMINISTRATIVE FEE TO DEFER COSTS FOR SUSPENSION AND REINSTATEMENT OF DRIVERS LICENSE PRIVILEGES AS A RESULT OF UNPAID MUNICIPAL FINES AND COSTS OR FAILURE TO APPEAR BEFORE THE MUNICIPAL COURT OF THE CITY OF MOUNDSVILLE FOR CERTAIN MOTOR VEHICLE OFFENSES. (FIRST READING)

Councilperson Saunders made a motion to accept and approve the above ordinance, seconded by Councilperson DeWitt.

Mayor Wood called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

* Vice Mayor Wallace received a letter of request from club owner, Paul Tucker, asking for a refund for liquor licenses that he obtained but only operated for 5 months. Council asked City Manager Hendershot to provide them with information to be discussed at the Finance Meeting on Tuesday.

MANAGER ITEMS:

Vacancy on the Moundsville Planning Commission.

Manager Hendershot reported that Planning Commission member Harold Wilson does not wish to serve on the board. Vacancy will be advertised in the paper.

Upper Ohio Valley Bark, Sniff and Howl Dog Exhibition & Let Beauty Shine.

Manager Hendershot announced that council are invited to attend the meeting on Thursday, April 8, 2010 at 6:00 p.m.

DOH - Intersection at First Street & Jefferson Avenue.

Manager Hendershot announced that a letter was received from DOH District Engineer Robert Whipp concerning the traffic light at First Street & Jefferson Avenue. They are planning to extend the proposed paving project on Jefferson Avenue that is scheduled this summer. The two south bound lanes on Jefferson Avenue will be narrowed in order to provide a wider north bound lane. A wider north bound lane will provide better turning radius for traffic turning right from First Street. Lane extensions (dotted) lines will be added to aid traffic turning left onto First Street.

United National Bank - Sweep Account.

Manager Hendershot received a letter from United National Bank concerning the city's sweep account which at this time is not insured by the FDIC. Under the FDIC Transaction Account Guarantee Program, the entire amount in the account will be guaranteed.

Letters to Local Legislatures.

Manager Hendershot provided copies of a letter to the local legislatures that were sent at the request of council concerning state fund to match the city's funds for paving projects.

City Employee 401 K.

Manager Hendershot met with Kris Karpinski of Edward Jones to discuss employee 401K.

House Bill 4038.

Manager Hendershot updated council on house bill 4038 Vacant Property bill.

Other Items to be Discussed by the City Manager.

* Manager Hendershot received a letter from Johnson Controls who are interested in obtaining the Moundsville's Water Treatment Plant and Waste Water Facility. Manager Hendershot noted that he is not in favor of these companies.

MAYOR ITEMS:

Update on Sanford Center.

Manager Hendershot reported entering into an agreement with DHHR for staff to work a couple days a week at the center helping cut grass and for janitorial work.

Update on Houses with Mine Subsidence.

Manager Hendershot reported the area was drilled, concrete was poured into the ground with no effect.

Child Abuse Prevention Month.

Mayor Wood attended a Proclamation signing for Child Abuse Prevention Month at the Marshall County Court House.

COMMITTEE REPORTS;

Discussion and Approval of Recommendations by the Finance Committee.

Vice Mayor Wallace scheduled a finance meeting on Tuesday, April 13, 2010 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.

Mayor Wood scheduled a policy meeting following the traffic meeting.

COUNCIL ITEMS:

- * **Wallace** - Reported the sign at the entrance to the Riverfront Park is dilapidated.
- * Reported the traffic light at Teletech Drive changes even when there is no traffic.
- * Signs need replaced on Highland Avenue and Center Street & Sycamore Avenue. They are not legible.

- * **Young** - Reported pot holes on Center Street.
- * **DeWitt** - Reported that she is pleased to see the sidewalk almost completed on 12th Street.
- * Thanked the fire department for hosing off the ramp at 13th Street.
- * Reported that she & Mayor Wood have been cleaning up the Riverfront Park. She would like to have some volunteers for other projects.
- * Reported a dilapidated building in alley near Water Street & 15th Street.
- * Mayor Wood asked about the building at 7th & Lafayette Avenue. Manager Hendershot reported roofing blew off during the storm. Building Inspector Wise notified the owner who responded to clean up the area.
- * **Haynes** - Asked if the city has cleared up the fire investigations from Simmons Apartments on Second Street and at Fostoria. Manager Hendershot reported the Second Street fire was arson and Fostoria was questionable.
- * Asked if the city needs the traffic light at the old Giant Eagle entrance? Manager Hendershot stated that other businesses in that plaza use the traffic light.
- * **Saunders** - Reported burning at the top of Jackson Street near Jason Drive.
- * Heard the city lost the new building inspector.
- * Asked for something to be done about the tree at the corner of 7th & Washington Avenue.
- * **Simms** - Reported pot holes on South Highland Avenue and at First Street & Center Street.
- * Wished to recognize Raymond Yoho who has 50 years of service with the Moundsville Volunteer Fire Department.
- * Received good reviews from citizens concerning the in town officers taking home police cruisers.

Councilperson Wallace asked on whose authority did Chief Kudlak act by permitting officers to take home cars. Manager Hendershot advised that Chief Kudlak authorized the program. Manager Hendershot also commented the cost is very minimal.

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

Meeting adjourned at 8:33 p.m.

Sondra J Hewitt, City Clerk

David Wood, Mayor