

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
MARCH 6, 2012**

The Council of the City of Moundsville met in regular session in the Council Chambers on March 6, 2012 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Councilperson David Wood.

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 Deanna J. Hess, Police Chief Mitchell, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Schneider, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of February 21, 2012.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of February 21, 2012, seconded by Councilperson Saunders. Motion carried unanimously.

Special Council Meeting of February 28, 2012.

Councilperson Saunders made a motion to accept and approve the minutes of the special council meeting of February 28, 2012, seconded by Councilperson Haynes. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Rick Harveth, 21 Hickory Avenue, asked council what their plans are concerning the abandoned trailer at 17 Hickory Avenue? The trailer has been abandon for approximately 2 years.

Fire Chief Clarke reported warrants have been issued for the owner Kenneth McCloskey for Health & Sanitation Violation. Officers have no been able to locate the owner. The city has been waiting for funding for that project.

After discussion on funding, Attorney White said the City Manager has the authority to handle this decision administratively.

* Tim Harrison, 1012 Thompson Avenue, strongly opposes the proposed zone change at 1007 Thompson Avenue. Mr. Harrison provided pictures of the building and property located at 1007 Thompson Avenue to council and read a statement as to why he is opposed to the zone change.

* Linda Miller, 1107 Lockwood Avenue, has lived at this address for 26 years and has attended the July 2011 Planning Commission meeting where the proposed zone change for 1007 Thompson Avenue was denied as it was two meetings previously. She asked council members, before they decide on the zone change, to consider if they would like this change in their neighborhood.

OLD BUSINESS:

Discussion and Approval of an Ordinance to Adopt the Revised Employees Policy Manual. (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, COMPREHENSIVELY AMENDING AND REENACTING ARTICLE 155 OF THE CODE OF THE CITY OF MOUNDSVILLE, RELATING TO POLICY PROVISIONS FOR EMPLOYEES OF THE CITY OF MOUNDSVILLE, BY REVISING AND REENACTING ALL SECTIONS THEREOF. (SECOND READING)

Councilperson Wood made a motion to accept and approve the Employee Policy manual, seconded by Councilperson Haynes.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Wood, Mayor Wallace, DeWitt, Haynes, Saunders and Simms voting yea. Remke voting nay. 6 yeas, 1 nay. Motion carried.

Other Items to be Discussed by Council.

* Councilperson Simms recommended that council discuss at the Policy Committees recognition letters to citizens who are renovating, restoring or improving their properties in the city.

* Councilperson Simms asked that council consider changing the City Charter to remove the section concerning nominating petitions. Candidates running for Ward position must obtain 50 registered voters names in that ward and At Large position must obtain 100 names from registered voters in the City of Moundsville.

Councilperson DeWitt suggested the City Clerk to request a list of registered voters instead of going to the Court House to check names.

City Manager Hess advised this request has been placed on the Policy Committee agenda.

* Councilperson Saunders recommended that council discuss opening the south end of Juniper Avenue and extending the street through McKinley to Twelfth Street. Manager Hess advised the request is on the Traffic Committee agenda.

* Councilperson Saunders asked Building Inspector Schneider for an update on the sidewalk at 905 Fifth Street. Mr. Schneider reported that the resident's 30 days have passed, PFC Sayman will be issuing a citation for failure to comply with city code. Councilperson Saunders commented that a neighbor offered to pay for the cement for the sidewalk in which the resident declined.

* Councilperson Saunders also reported the sidewalk has not been replaced in front of 1010 Thompson Avenue. Building Inspector Schneider advised that Mr. Cunningham was sent a letter concerning that sidewalk.

* Councilperson Wood asked if the problem of trucks shaking houses at Mulberry Avenue & Meighen Avenue had been addressed? Manager Hess said that she and Street Commissioner Richmond were on Mulberry Avenue and found the street has sunken but there is little the Street Department can do to repair the street. Most of the area in that neighborhood is undermined.

* Councilperson Wood asked if Manager Hess has decided what to do with the city's website. She advised she is waiting on a phone call from the previous designer. Mayor Wallace suggested that council discuss this at a Policy Committee meeting.

* Councilperson Wood announced that Attorney White provided council with his opinion on the City of Moundsville's Amusement Tax Ordinance.

* Councilperson Haynes requested speeding signs on Campground Road near the Cherokee Hills cemetery. Mayor Wallace suggested discussing "Advisory 15 mph" signs in the Traffic Committee meeting.

* Councilperson Remke asked City Manager Hess if she was aware of surveying on Jefferson Avenue? She informed Councilperson Remke that she was not aware.

* Councilperson Remke reported a house at 1010 Sixth Street that is in deplorable condition.

* Councilperson Simms asked if council was interested in inviting gas representatives to speak with council.

NEW BUSINESS:

Discussion and Approval of a Zone Change Ordinance Pertaining to 1007 Thompson Avenue. (First Reading)

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

AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA ON THOMPSON AVENUE IN THE CITY OF MOUNDSVILLE FROM AN INDUSTRIAL ZONE TO A COMBINED CENTRAL BUSINESS AND HIGHWAY COMMERCIAL AND INTEGRATED COMMERCIAL CENTERS ZONE. (FIRST READING)

Councilperson Remke made a motion to approve the zone change ordinance, seconded by Councilperson Wood for discussion.

After discussion, Councilperson Saunders made a motion to table, seconded by Councilperson Haynes.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Saunders, Remke, Haynes, DeWitt and Mayor Wallace voting yea. Simms & Wood voting nay. 5 yeas, 2 nays. Motion carried.

Discussion and Approval of an Ordinance Pertaining to Building Permit Fees for Construction. (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 THE MUNICIPAL CODE OF THE CITY OF MOUNDSVILLE TO PROVIDE AMENDMENTS TO THE BUILDING, ELECTRICAL AND PLUMBING PERMIT IN THE CITY CODE. (FIRST READING)

Councilperson Wood made a motion to accept and approve the building permit ordinance, seconded by Councilperson Remke.

Mayor Wallace called for a voice vote. City Clerk announced the following tally. Saunders, Simms, Wood, Mayor Wallace and Haynes voting yea. DeWitt voting nay. 6 yeas, 1 nay. Motion carried.

Discussion and Approval of a Resolution Authorizing the Execution of a Certain Application for a Grant Through the Community Participation Program. (City of Moundsville Computer Improvements - \$4,000)

Councilperson Simms made a motion to approve the application for a grant for the City of Moundsville Computer Improvements in the amount of \$4,000.00, seconded by Councilperson Saunders. Motion carried unanimously.

Discussion and Approval of a Resolution Authorizing the Execution of a Certain Application for a Grant Through the Community Participation Program. (City of Moundsville - Baseball Field Improvements - \$2,000)

Councilperson Simms made a motion to approve the application for a grant for the City of Moundsville Baseball Field Improvements in the amount of \$2,000.00, seconded by Councilperson DeWitt. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Saunders asked if Building Inspector has been checking contractors for license and permits? Building Inspector Schneider he has a list of contractors that he can advise council who has licenses and permits. Also, permits must be at the job site.

* Councilperson Saunders advised council that Four Seasons Pool will be closed the week of March 19, 2012 to replace the pool pump.

* Councilperson Remke reported campers are being parked at the Alpine on Jefferson Extension. Mayor Wallace advised that situation is being addressed.

* Councilperson Remke asked for the garbage can and bench to be replaced at Third Street & Jefferson Avenue.

* Councilperson Remke suggested changing the time for meters on Jefferson Avenue from 9 a.m. to 9 p.m., since people patronize the clubs in the evenings.

* Councilperson Remke reported Garfield Street in need of repair.

* Councilperson Wood reported the next Comprehensive Plan meeting is scheduled for April 20 & 21st, 2012. Volunteers are needed to house students for the weekend.

* Councilperson Wood asked Councilperson Saunders if the prices at Four Seasons Pool have increased? Councilperson Saunders reported there being discussion of increases which the board will have to vote on.

MANAGER ITEMS:

Cub Scout Annual Cake Auction.

Manager Hess announced the Cub Scout Pack #78 Annual Cake Auction will be held on Monday, March 19, 2012 at 6:00 in the Calvary Methodist Church. Councilperson Haynes agreed to attend.

MAYOR ITEMS:

* Mayor Wallace expressed his appreciation to Sgt. Don DeWitt for his hard work at the FBI Academy.

* Mayor Wallace commented on the zone change request at 1007 Thompson Avenue saying that someone is going to be happy and someone is going to be disappointed with council's decision.

COMMITTEE REPORTS:

Discussion of Recommendations by the Policy Committee.

Councilperson Wood scheduled a Policy meeting on Tuesday, March 13, 2012 at 5:00 p.m.

Discussion of Recommendations by the Finance Committee.

Councilperson Saunders scheduled a Finance meeting following the Policy meeting.

Discussion of Recommendations by the Traffic Committee.

Councilperson Simms scheduled a Traffic meeting following the Finance meeting.

COUNCIL ITEMS:

* **Haynes** - Reported furniture and junk piled on the front porch at 2106 First Street. Stuff has been there for several months.

* **Saunders** - Asked who was responsible for keep road repaired behind Wood Fitness & Auto Zone? City Manager Hess advised she will be contacting the owner.

* **DeWitt** - Reported pot holes on Water Street.

* Reported water laying in street on Garfield just below 12th Street. Previous Street Commission would authorize the workers to ditch the side of the street for water to run into drain. Information was probably not passed to next Street Commissioner.

* **Remke** - Invited council to the "Cost of Freedom" meeting on Thursday, March 15, 2012, 6:00 p.m., at the Training Center.

* Asked that citizens get involved in the process of creating the City of Moundsville's new Comprehensive Plan.

* **Wood** - Spoke with Patrick Kirby concerning the Brownfields and questioned him on the possibility of making the Fostoria Property zoned for residential. Mr. Kirby said it is possible

but the owner would have to have millions of dollars to clean the property for residential.

* Reported that people are trying to pull onto the street behind the Subway from Rt. 2 even though a sign is located on Fifth Street “No Left Turn”.

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

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

Meeting adjourned at 8:40 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor