

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**  
2 **SEPTEMBER 16, 2008**

3

4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on  
5 September 16, 2008 at 7:00 pm.

6

7 Meeting was called to order by Mayor Wayne Lemasters.

8

9 Invocation by City Manager Hendershot.

10

11 City Clerk called the roll and the following councilpersons were in attendance: Haynes, James,  
12 Simms, Wood, Wallace and Mayor Lemasters. Absent: Cunningham. Also present: City  
13 Manager Hendershot, Police Chief Kudlak, Fire Pvt. Walker, Street Foreman Stocklask, Building  
14 Inspector Vickers, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.  
15 Absent: Fire Chief Clarke and Street Commissioner Richmond.

16

17 **MINUTES:**

18

19 **Regular Council Meeting of September 2, 2008.**

20

21 Councilperson Haynes made a motion to accept and approve the minutes of the regular council  
22 meeting of September 2, 2008, seconded by Councilperson Wood. Motion carried unanimously.

23

24 **GENERAL PUBLIC HEARING:**

25

26 \* Professor Michael Blackwell of West Liberty State College gave presentation of the  
27 preliminary findings of debt analysis for the City of Moundsville. The study was requested by  
28 City Manager Hendershot and City Council in order to construct and maintain a City Building,  
29 Street Department Garage and Police and Fire Department.

30

31 \* David White, 406 Clinton Avenue, asked if Harold Games signed the Fostoria Project contract  
32 yet? Manager Hendershot advised they did sign the contract, however there is a 10 day  
33 notification period to the DEP. Mr. Games hopes to start the first of next month.

34

35 **OLD BUSINESS:**

36

37 **Discussion and Approval of a Zone Change Ordinance at 105 Jefferson Avenue & 813 First**  
38 **Street from R-G (General Residential) to C-C (Central Business District). (Second**  
39 **Reading)**

40

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

43

1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**  
2 **VIRGINIA, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA AT OR**  
3 **NEAR THE CORNER OF FIRST STREET AND JEFFERSON AVENUE IN THE CITY**  
4 **OF MOUNDSVILLE FROM GENERAL RESIDENTIAL ZONE TO CENTRAL**  
5 **BUSINESS DISTRICT ZONE. (SECOND READING)**

6  
7 Councilperson Simms made a motion to approve the zone change ordinance, seconded by  
8 Councilperson Haynes.

9  
10 Mayor Lemasters called for a voice vote. City Clerk announced the following tally. 6 yeas.  
11 Motion carried unanimously.

12

13 **Other Items to be Discussed by Council.**

14

15 \* Councilperson Wood expressed his feelings concerning Dwight Cunningham property at 1008  
16 Thompson Avenue and the process from the Planning Commission to Council. Mr. Wood feels  
17 that council did not give Mr. Cunningham the opportunity to speak on his own behalf and to  
18 discuss what his plans are for this property.

19

20 Councilperson Wood made a motion to direct the City Attorney to draft an ordinance for a zone  
21 change at 1008 Thompson Avenue, seconded by Councilperson Simms.

22

23 Mayor Lemasters called for a voice vote. City Clerk announced the following tally. 3 yeas, 3  
24 nays. Haynes, James & Lemasters voting nay. Motion failed because of a tie vote.

25

26 **NEW BUSINESS:**

27

28 **Discussion and Approval of Street Paving Bids.**

29

30 Manager Hendershot provided a paving bid list from Klug Brothers for the following  
31 intersections:

32

33	1.	Jackson Street from 13 <sup>th</sup> to 14 <sup>th</sup> Street	\$15,671.12
34	2.	Pearl Street and Part of McKinley	47,973.67
35	3.	Henrietta Avenue from 7 <sup>th</sup> to 8 <sup>th</sup> Street	26,558.24
36	4.	Center Street & Mulberry Avenue	11,410.74
37	5.	Center Street & Maple Avenue	12,701.50
38	6.	Center Street & Poplar Avenue	10,678.08
39	7.	Second Street & Mulberry Avenue	13,799.50
40	8.	Second Street & Poplar Avenue	11,998.14
41	9.	Ninth Street & Henrietta Avenue	15,737.40
42	10.	Seventh Street & Annadale Avenue	16,995.91
43	11.	Ruby Street & Garfield Street	17,276.75

1	12.	Eighth Street & Jefferson Avenue	10,348.65
2	13.	First Street & Tomlinson Avenue	10,274.40
3			
4			\$221,424.10
5			

6 Councilperson Simms made a motion to approve the paving bids and proceed with paving,  
7 seconded by Councilperson Simms.

8  
9 Mayor Lemasters called for voice vote. City Clerk announced the following tally. 6 yeas.  
10 Motion carried unanimously.

11  
12 **Discussion and Approval of Demolition Bids for 1223 First Street.**

13  
14 Manager Hendershot announced that one bid was received by Norris Demolition in the amount  
15 of \$9777.00 with an addendum letter stating that asbestos abatement was additional. Manager  
16 Hendershot spoke with Mr. Norris who advised to disregard the addendum.

17  
18 Councilperson Simms made a motion to approve the bid from Norris Demolition, seconded by  
19 Councilperson Haynes.

20  
21 Mayor Lemasters called for a voice vote. City Clerk announced the following tally. 6 yeas.  
22 Motion carried unanimously.

23  
24 **Other Items to be Discussed by Council.**

25  
26 \* Councilperson Simms asked Chief Kudlak if the Police had found the graffiti culprit yet?  
27 Chief Kudlak advised they do have some leads and are still working on it.

28  
29 \* Councilperson Simms also asked if City Manager Hendershot has heard if anything is going  
30 into the vacant IGA building? Manager Hendershot advised that nobody has contacted him yet.

31  
32 **MANAGER ITEMS:**

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34 **Status Update on August 2008 Finances.**

35  
36 Council received copies of the August 2008 Finances from Kathryn Goddard.

37  
38 **Annual Marshall County Chamber Dinner.**

39  
40 Manager Hendershot reported the annual Marshall County Chamber Dinner is scheduled for  
41 Thursday, October 2, 2008, social hour is at 5:30 pm. and dinner is 6:30 pm. Speaker is former  
42 Olympic Wrestling Coach Bobby Douglas. Dinner will be held at the Training Center.

43

1 **Fostoria Glass Project.**

2

3 Manager Hendershot announced that Fostoria Glass Project contract was signed by the  
4 Moundsville Building Commission and GAB Inc., (Harold Games, Louis Aulenbacher and Tom  
5 Brown). Mr. Games is involved with a very reputable company who have done other major  
6 projects in the valley. Grant application will be prepared to submit to the DEP which could  
7 potentially provide \$200,000 toward abatement.

8

9 **Legal Certifications by Attorney White.**

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11 Attorney White submitted a legal certification published in the Moundsville Daily Echo to be  
12 received and filed by council:

13

14 1. Bids for Demolition of 1223 First Street.

15

16 Councilperson Simms made a motion to receive and file the legal publication, seconded by  
17 Councilperson Wallace. Motion carried unanimously.

18

19 **MAYOR ITEMS:**

20

21 \* Mayor Lemasters asked for an update on AAA Trailer Court ditch line. Street Foreman  
22 Stocklask advised that Street Commissioner Richmond will follow-up.

23

24 \* Mayor Lemasters received a thank you card from Theresa Rogerson concerning the fire on  
25 Locust Avenue. She wanted to thank the Fire Department, Police Department and the Water  
26 Board for the new water hydrant on Jones Street & Locust Avenue.

27

28 \* Reported dilapidated properties located at 1215 First Street, 432 Poplar Avenue and 434 Poplar  
29 Avenue.

30

31 \* Advised that he and Manager Hendershot attended the ribbon cutting at Huddle House this  
32 afternoon at 1:30 p.m.

33

34 \* Reported that the city will not be eligible to receive royalties from the natural gas on the  
35 landfill. Manager Hendershot noted that when the city purchased the property for the landfill,  
36 the seller kept the mineral rights.

37

38 **COUNCIL ITEMS:**

39

40 \* **Haynes** - Reported trees hanging in parking spaces on streets at 114 & 120 Poplar Avenue.

41

42 \* Reported shrubs growing onto sidewalk at 211 Olive Avenue.

43

44 \* **James** - Reported street light is covered by trees at 14<sup>th</sup> & Lockwood.

- 1
- 2 \* Reported a large hole on Lockwood Avenue between 13<sup>th</sup> & 14<sup>th</sup> Street.
- 3
- 4 \* Reported high grass in yard on 7<sup>th</sup> Street between Cedar & Clinton Avenue.
- 5
- 6 \* **Wood** - Asked that council meeting with the State Legislatures, Delegates and Marshall  
7 County Commission on pensions and other issues.
- 8
- 9 \* Complimented Chief Kudlak on this design of the City of Moundsville Website.
- 10
- 11 \* Asked if the city entailed any wind damage? Manager Hendershot advised hardly any wind  
12 damage, but did have some power outage in town and a fallen tree.
- 13
- 14 \* Asked what the city if looking at as far as the Debt Analysis presented to council this evening?  
15 Manager Hendershot advised the city needs to see what is affordable and look for grants to see  
16 where funding can be obtained at the state level. Also the city will need to meet again with  
17 engineers. Since the preliminary engineering study, the city has made several improvements on  
18 the city garage.
- 19
- 20 \* Reported shrubs need cut at 1900 Meighen Avenue.
- 21
- 22 \* Reported grass high at 2012 & 2014 Jackson Street.
- 23
- 24 \* Asked that council continue to pursue the absenteeism for council members.
- 25
- 26 \* Asked that each council member create a list of dilapidated properties and compile them to  
27 determine are in disrepair and need demolished. Manager Hendershot advised that the Building  
28 Inspectors compiled a list of houses and properties and do continue to work on them speaking  
29 owners.
- 30
- 31 \* **Wallace** - Reported alley needs repaired between 10<sup>th</sup> & 11<sup>th</sup> and Weaver & Tomlinson Avenue.  
32 Also garage needs tore down in that alley.
- 33
- 34 \* Agrees with Councilperson Wood concerning Dwight Cunningham property stated that Mr.  
35 Cunningham should have the opportunity to express his plan for the property.
- 36
- 37 \* **Simms** - Asked why the large steel plate at the north end of the prison on 8<sup>th</sup> Street along the  
38 curb. Manager Hendershot advised that departments are trying to determine why water is  
39 running down the street. Water Superintendent Woods of the Water Board thought the water was  
40 a Sanitary Sewer issue but it has not been determined at this time.
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- 42
- 43 \* Would like to recognize Tom Wood, Principal at John Marshall High School and the Faculty  
44 for the 2008 No Child Left Behind Blue Ribbon Award.

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

Meeting adjourned at 7:55 p.m.

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Sondra J. Hewitt, City Clerk

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Wayne Lemasters, Mayor