

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **FEBRUARY 1, 2011**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on
5 February 1, 2011 at 7:00 p.m.

6
7 Meeting was called to order by Mayor Dennis Wallace.

8
9 Invocation by Councilperson Mark Simms.

10
11 City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt,
12 Remke, Simms, Wood and Mayor Wallace. Absent: Haynes & Saunders. Also present: City
13 Manager Hendershot, Police Chief Kudlak, Fire Chief Clark, Street Commissioner Richmond,
14 Building Inspector Mercer, CPA Kathryn Goddard, Attorney Thomas White and City Clerk
15 Hewitt.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of January 18, 2011.**

20
21 Councilperson Remke moved to accept and approve the minutes of the regular council meeting
22 of January 18, 2011, seconded by Councilperson Wood. Motion carried unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * Lester Tasker, 1407 10th Street, asked for more patrol in Moundsville. Also wanted to know
27 why the city if not using the blue salt for the streets anymore.

28
29 Mayor Wallace informed Mr. Tasker that the Chief will provide more patrol. And Street
30 Commissioner Richmond commented when the city purchases salt, the Street Department only
31 has what the company gives them. Sometimes there are blue granules in it.

32
33 **OLD BUSINESS:**

34
35 **Other Items to be Discussed by Council.**

36
37 * Councilperson Wood asked Manager Hendershot what the next step would be to moving
38 forward with the Knights of Pythias building. Manager Hendershot noted according to the report
39 from McKinley & Associates, the building is old with some minor deficiencies, but the building
40 is sound. A motion and a vote of council to make an offer on the property would be the next
41 step.

42
43
44 Councilperson Wood made a motion to direct the City Manager to contact the owners of the
45 Knights of Pythias asking for a purchase price, seconded by Councilperson DeWitt. Motion
46 carried unanimously.

47 Councilperson Remke made a motion to direct the City Manager to contact the owners of the
48 Elks building asking for lease amount and what their intentions are, seconded by Mayor Wallace.
49 Motion carried unanimously.

50
51 * Councilperson DeWitt asked what was done with the savings from the Police & Fire Pensions?
52 Manager Hendershot reported the funds went to pay increases, worker compensation, health
53 insurance, etc.

54
55 * Councilperson Remke asked about the run off for trucks coming down Rt. 250. And the truck
56 routes through out Moundsville. Manager Hendershot reported the item was referred to the
57 Traffic Committee.

58
59 * Councilperson Remke asked about foot patrol for officers on Jefferson Avenue. Manager
60 Hendershot said that item was referred to the Policy Committee.

61
62 * Councilperson Remke asked about the Rt. 250 sign. Manager Hendershot reported having
63 talked to DOH who has not agreed to move the sign because of the layout of the intersection.

64
65 * Councilperson Remke, referring to the minutes of the January 19 Moundsville Stormwater
66 Utility Board meeting, asked about \$45,000 one employee. CPA Goddard commented that
67 amount is for a full time city employee. Manager Hendershot reported that actually, the \$45,000
68 would fund two laborers under the Stormwater Board.

69
70 * Councilperson Remke, referring to the minutes of the January 10 Moundsville Water Board
71 meeting, asked what the city needs to do to get the hydrant at 3rd Street & Curtis Avenue working
72 again. Manager Hendershot reported the leak was at 4th Street & Curtis Avenue, but the leak and
73 the hydrant are on the same line. In case of a fire, the department will run lines from the other
74 hydrants.

75
76 **NEW BUSINESS:**

77
78 **Discussion and Approval in Reference to Change of Scope for the CDBG Housing Grant.**

79
80 Manager Hendershot reported the CDBG Housing Grant is a grant the city has been participating
81 in for approximately 4 years. It grant was originally a housing rehabilitation grant for qualified
82 home owners in the city. There is \$25,000 left that needs to be expended so the grant can be
83 closed out. They have allowed the city to have ADA Projects through the city. This would be
84 councils decision as to what projects to use the \$25,000 toward.

85
86 Councilperson Wood made a motion to authorize the City Manager to proceed with Change of
87 Scope for the CDBG Housing Grant, seconded by Councilperson Remke. Motion carried
88 unanimously.

89
90 **Discussion and Approval of a Resolution Authorizing the Execution of a Certain**
91 **Application for a Grant Through the Community Participation Program. (Emergency**
92 **Response Equipment \$10,000 and Garage Lighting \$2,000)**

93 Councilperson Simms made a motion to authorize the execution of the grant application for
94 emergency response equipment of \$10,000 and garage lighting of \$2,000, seconded by
95 Councilperson DeWitt. Motion carried unanimously.

96

97 **Discussion and Approval of a Resolution Authorizing the Execution of a Certain**
98 **Application for a Grant Through the Community Participation Program. (Riverfront**
99 **Shelter, Walk and Parking Area \$13,000)**

100

101 Councilperson Remke asked Manager Hendershot why the Chamber of Commerce may move
102 “Music in the Park” to another area. Manager Hendershot reported that he attended the Parks &
103 Recreation Board meeting at which time Executive Director Dave Knuth expressed his
104 disappointment that Parks & Recreation are going to rent the shelter with the kitchen facility
105 available to the renter. Manager Hendershot also commented that “Music in the Park” has never
106 recognized the City as a sponsor even though the concerts are held at the city’s Riverfront Park.

107

108 After Mayor Wallace reminded council they need to vote on executing the grant, Councilperson
109 DeWitt made a motion to authorize the execution of the grant application for Riverfront Shelter,
110 Walk and Parking area of \$13,000, seconded by Councilperson Simms. Motion carried
111 unanimously.

112

113 **Discussion of an Ordinance of the Issuance of Sewage Revenue Bond, Series A, in an**
114 **Amount not to Exceed \$4,200,000.**

115

116 Manager Hendershot explained that bond ordinances require three separate readings and the city
117 needs to insure the ordinances are properly advertised. This is the separation project the Sanitary
118 Board has been working on for several years. The ordinance was actually passed by council
119 April 20, 2010 which approved a two tier rate increase. The first tier became effective
120 immediately for operational costs and the second tier was designed to cover the cost of the
121 construction. There will be three readings, 30 days between the second and third reading. On
122 the third reading there will be a public hearing which will be incorporated into the regular
123 council meeting. The second rate increase will not go into effect until the construction is
124 completed. The construction companies will be paid out of the bond to do the work and when
125 the construction is completed, the second tier of the rate increase goes into place so the bonds
126 can be paid.

127

128 Councilperson Wood made a motion to move forward on first reading scheduled for February 15,
129 2011, seconded by Councilperson Simms. Motion carried unanimously.

130

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

132

133 * Councilperson Remke asked Manager Hendershot to meet with the Marshall County Chamber
134 of Commerce at the next meeting to discuss “Music in the Park.”

135

136 * In reference to the dilapidated trailer at 17 Hickory Avenue, Councilperson Remke does not
137 feel that a trailer should be allowed to be placed there. Manager Hendershot explained this issue
138 was already addressed by Building Inspector Mercer. The property was grand fathered because

139 the old trailer was there prior to zoning. Since the trailer is beyond the 60% damaged level,
140 another trailer can not be placed at that address.

141

142 * Councilperson Remke asked what the status is of the 52 houses on the “dilapidated structures”
143 list and is there anything that council can do to help move the process along faster. For instance,
144 the house at 1409 Seventh Street is vacant, front door is open and a bad odor coming from inside.
145 Fire Chief Clarke reported the owners case worker is unaware of his whereabouts and condition.
146 The caseworker is actively pursuing to take steps through the to become his guardian. The city is
147 at a standstill until the caseworker becomes the guardian. Chief Clarke, the Building Inspector
148 and the Police Department secured the house as good as they can. The front screen door is
149 locked and the inside door is open.

150

151 * Councilperson Remke reported the building at 242 Jefferson Avenue (former Pam’s
152 Restaurant) may be sold. The owner is negotiating with another business owner.

153

154 * Councilperson Remke reported a trap door at 401 Jefferson Avenue along the walkway on the
155 side of the building is open and reports of people vacating the property. Manager Hendershot
156 advised he gave information to the midnight Sgt. Councilperson Simms also reported the owner
157 never cuts the grass behind that building.

158

159 **MANAGER ITEMS:**

160

161 **Request for Water Rate Increase.**

162

163 Manager Hendershot advised council the Moundsville Water Board is considering writing a rate
164 increase request to council. At this point, they are not maintaining their 1.15% which is required
165 by their bond issues so they are being forced to look at rate increases. Maintenance of the new
166 water treatment plant was more than expected or at least more than the public service
167 commission would allow them to include in their initial rate. Attorney James Kelsh will be
168 attending the council meeting for the first reading.

169

170

171 **Thank You Card Received.**

172

173 Manager Hendershot received a thank you card from Mr. & Mrs. Hedrick, 1419 Second Street,
174 for third place prize 2010 Christmas House Decorating Contest. The card is a picture of their
175 house lit up with Christmas lights.

176

177 Councilperson Simms made a motion to receive and file the card, seconded by Councilperson
178 DeWitt. Motion carried unanimously.

179

180 **Fostoria Glass Site.**

181

182 Manager Hendershot reported the Fostoria Glass site has been approved for participation in the
183 West Virginia Voluntary Remediation Program. The next step is to arrange for a public
184 repository for all the information that comes out of this entire review process so that it will be

185 available to the public. Council can choose areas such as the library or at City Clerk's Office.
186 Council members agreed to locate the information at the Public Library.

187

188 **WV Municipal League Winter Conference.**

189

190 Manager Hendershot reported that he and several council members attended the WV Municipal
191 League Conference. Some of the issues the Municipal League wanted cities to discuss with their
192 legislatures was Municipal Audits for Class IV cities, which does not effect Moundsville.
193 Another issue WVML was asking support was Excess Levies, proposal is to lower the required
194 60% super majority to simple majority.

195

196 Manager Hendershot and council members were able to meet with legislatures speaking to them
197 about Moundsville's "wish list".

198

199 **Bid Opening for Window Replacement and HVAC Upgrade.**

200

201 The bid opening was scheduled for January 28, 2011 at 10:00 a.m. Results of the bid opening
202 are as follows:

203

204 Window Replacement Project: Grant Value \$22,910.00

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206	Replacement Windows	\$20,456.00
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207	Molly Joe Inc	\$26,900.00
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208	Cattrell	\$24,500.00
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209

210 HVAC Upgrade Project: Grant Value \$32,510.00

211

212	HE Neumann	\$25,992.00
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213	Kucera Heating	\$33,900.00
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214	Johnson Boiler	\$29,950.00
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215	Cattrell	\$48,000.00
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216

217 **Vacancy on the Zoning Appeals Board.**

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219 Manager Hendershot announced vacancies on the Zoning Appeals Board and is asking council to
220 assist in locating persons of interest willing to serve on the board.

221

222 **Belomar Regional Council.**

223

224 Manager Hendershot attended the traffic portion of the Belomar Regional Council meeting.
225 Projects to be programmed in 2011 are Inspection of the Arch Moore Jr Bridge over the Ohio
226 River in Moundsville at an estimated cost of \$450,000; Engineering for the Moundsville Bridge
227 Lighting project estimated cost of \$75,000; And ODOT in participation with WV DOT project to
228 paint the Arch Moore Jr Bridge estimated cost of \$1,800,000.

229

230

231 **E-Solutions - WV Interactive.**

232

233 City Manager Hendershot spoke with Sara McDowell, Director of Marketing, West Virginia
234 Interactive, concerning E-Solutions. They can assist the city in providing “pay as you go” or
235 “pay online” for bills at no cost to the city but a minimal cost to the customer.

236

237 **Summary Report from Marshall County Commission.**

238

239 A summary report was obtained from the Marshall County Commission concerning the
240 partnership of the Stormwater Management Board and Marshall County Commission pertaining
241 to the flooding in the east end of Moundsville from the construction at Blake’s Addition. The
242 construction of the addition has caused problems with flooding at the bottom of the hill. The
243 summary made recommendations to improve the inlets and change the elevation.

244

245 **Debt Affordability Study.**

246

247 The Moundsville 2008 Debt Affordability Study was provided to council providing highlights of
248 concerns on the use of B&O Tax and the dangers of increasing B&O Tax.

249

250 **Legal Advertisements by Attorney White.**

251

252 Attorney White provided legal advertisements published in the Moundsville Daily Echo to be
253 received and filed by council:

254

- 255 1. Zoning Ordinance for 1306-308 Seventh Street
- 256 2. Zoning Ordinance for 1107 12th Street
- 257 3. Building Nuisance & Abatement Violation for 120 Poplar Avenue
- 258 4. Building Nuisance & Abatement Violation for 1413 Pearl Street

259

260 Councilperson Simms made a motion to receive and file the legal ads, seconded by
261 Councilperson Wood. Motion carried unanimously.

262

263 **MAYOR ITEMS:**

264

265 * Mayor Wallace attended a dinner honoring the Young Patriots Essay Contest winners at the
266 Moundsville VFW. First place winner from Moundsville proceeded to Charleston WV.

267

268 * Mayor Wallace received a complaint of speeders in Cherokee Hills on Sandy Avenue.

269

270 * Mayor Wallace received a packet from the Marshall County Chamber of Commerce expressing
271 the need for a hotel/motel in Moundsville. The Chamber is asking that someone take the
272 initiative to invite potential investors to Moundsville for a hotel/motel. Mayor Wallace
273 announced that Councilperson Remke has already started the process.

274

275

276

277 **COMMITTEE REPORTS:**

278

279 **Discussion and Approval of Recommendations by the Finance Committee.**

280

281 Councilperson Saunders scheduled a Finance Committee meeting on Tuesday, February 8, 2011
282 at 5:00 p.m.

283

284 **Discussion and Approval of Recommendations by the Traffic Committee.**

285

286 Councilperson Simms scheduled a Traffic Committee meeting following the finance meeting.

287

288 **Discussion and Approval of Recommendations by the Policy Committee.**

289

290 Councilperson Wood scheduled a Policy Committee meeting following the traffic meeting.

291

292 **COUNCIL ITEMS:**

293

294 * **DeWitt** - Asked how much longer the barricades are going to be left at Fourth Street & Curtis
295 Avenue. Manager Hendershot reported that he was not sure but thinks the Water Board is
296 waiting on the weather to break.

297

298 * Reported the tree in front of Wilson Law Office on Jefferson Avenue needs trimmed, it is
299 obstructing the flashing school light for St. Francis. Councilperson Remke said he will try to get
300 the tree trimmed.

301

302 * Reported the vacant house at 103 Jefferson Avenue was purchased by TJ Auto Sales.

303

304 * Commended the Recreation Department for cleaning snow from sidewalk on Jackson Street,
305 Railroad Street, and Fourth Street.

306

307 ***Remke** - Asked Councilperson DeWitt if TJ Auto Sales bought the old T&E Florist because
308 some of his vehicles were in the rear of the building.

309

310 * Recommended the city invest in a security system at the city building.

311

312 * Reported scraping of vehicles exiting the city lot onto Morton Avenue. Manager Hendershot
313 said the portion of the street can not be leveled because rain water would not be able to continue
314 flowing to Sixth Street.

315

316 * Discussed the possibility of hiring a grant writer. After discussion, the request was sent to the
317 finance committee.

318

319 * Discussed the possibility of hiring a beautification director. Mayor Wallace asked for a voice
320 vote of members in favor or not of hiring a beautification director. Remke voting yea. DeWitt,
321 Wood, Simms and Mayor Wallace voting nay.

322

323 * **Wood** - Asked for an update on the Fostoria Project. Manager Hendershot reported the RAZE
324 is working off site trying to obtain funds to re-invest back into the site. They are moving forward
325 with the Voluntary Remediation Program hopefully to obtain a Certificate of Completion on the
326 site. Discussion at the Building Commission meeting about the Artisan Center, there were
327 concerns the structure has deteriorated to the point that it is not savable.
328

329 * Budget Process is being worked on by City Manager, CPA Goddard and the Department Heads.
330 Meeting scheduled for Wednesday, February 2, at 5:00 p.m. with Department Heads.
331

332 * **Simms** - Asked if the city was going to continue with the RV Park at the Riverfront. Manager
333 Hendershot said the matter needs to be discussed further.
334

335 Councilperson Simms made a motion to recess for 5 minutes then have executive session on
336 personnel matters, seconded by Mayor Wallace. Motion carried unanimously.
337

338 Meeting recessed at 8:33 p.m.
339

340 Meeting reconvened at 8:40 p.m.
341

342 Executive Session began at 8:40 p.m.
343

344 Executive Session recessed at 9:02 p.m.
345

346 Regular session reconvened at 9:02 p.m.
347

348 Councilperson Simms moved to adjourn, seconded by Councilperson Wood. Motion carried
349 unanimously.
350

351 Meeting adjourned at 9:03 p.m.
352
353
354
355

356
357 _____
Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor