

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

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

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Councilperson Mark Simms.

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 Hendershot, Police Chief Kudlak, 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 15, 2011.**

Councilperson Saunders made a motion to accept and approve the minutes of the regular council meeting of February 15, 2011, seconded by Councilperson DeWitt.

Councilperson Remke asked for an explanation on page 3, line 5. The paragraph should have included the address of 242 Jefferson Avenue.

Mayor Wallace called for a vote on the motion. Motion carried unanimously.

**Special Council Meeting of February 22, 2011.**

Councilperson Haynes made a motion to accept and approve the minutes of the special council meeting of February 22, 2011, seconded by Councilperson DeWitt. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

\* Rosalyn Rhodes, 1006 Seventh Street, wished to thank council members for making it possible for the Marshall County Chamber of Commerce to hold their concerts at the Riverfront. They are in the process of resolving some minor issues with the Parks & Recreation Board. Mrs. Rhodes also invited council members to the first concert to be held on June 10, 2011 at 7:00 p.m., for a special recognition.

**OLD BUSINESS:**

**Discussion and Approval of a Rate Increase Ordinance Pertaining to Sewer Revenue**

**Bonds, Series 2011 A. (Second Reading)**

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

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE PROVIDING FOR THE ISSUANCE OF ITS SEWER REVENUE BONDS, SERIES 2011 A. THE PROCEEDS OF THE BONDS WILL BE USED (I) TO PAY THE COSTS OF ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE PUBLIC SEWERAGE SYSTEM OF THE ISSUER AND (ii) TO PAY CERTAIN COSTS OF ISSUANCE OF THE BONDS AND RELATED COSTS. THE BONDS ARE PAYABLE SOLELY FROM REVENUES TO BE DERIVED FROM THE OWNERSHIP AND OPERATION OF THE SYSTEM OF THE CITY. (SECOND READING)**

Councilperson Saunders made a motion to accept and approve the rate ordinance, seconded by Councilperson Wood for discussion.

Councilperson Wood commented that customers will not see an increase until all projects are finished. Mayor Wallace called for a voice vote. City Clerk announced the following tally. Wood, Simms, Saunders, Remke, Haynes, DeWitt and Mayor Wallace. 7 yeas. Motion carried unanimously.

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

\* Councilperson DeWitt asked if program from Utility Service Partners was available for customers? (This program will be for residents to purchase insurance to cover any water/sewer break or line repair from their property to the street). Manager Hendershot advised that Utility Service Partners are preparing for the Spring Campaign in March or April.

\* Councilperson DeWitt made comment that her water bill for last month was high and a citizen reported their bill was tripled. Manager Hendershot reported the water rates have not changed.

\* Councilperson DeWitt asked if anyone knew of activity going on at the former Giant Eagle building. She reported seeing a large dumpster outside the building. Council, City Manager and the Building Inspectors are not aware of anything going on.

\* Councilperson Simms requested the ordinance concerning the City of Moundsville Inspecting rental properties be placed back on the Policy Committee agenda.

\* Councilperson Remke asked if 401 Jefferson Avenue has been secured or if officers found any illegal access? Chief Kudlak with check with officers to see if they checked the premises.

\* Beautification letter for Parks & Recreation.

\* Councilperson Remke asked if Manager Hendershot drafted the letter in support of a hotel in Moundsville. Council authorized Councilperson Remke to make changes to his letter and bring back to council.

\* Councilperson Remke asked if Manager Hendershot obtained prices for security in the City Building. Chief Kudlak checked with neighboring cities on security, but not on prices. Manager Hendershot reminded Councilperson Remke the type of security he is suggesting is very expensive.

\* Councilperson Remke asked if Manager Hendershot was able to speak with the owner of 102 Jefferson Avenue? Manager Hendershot spoke with Mr. French, who was going to contact his attorney then let Manager Hendershot know if he was legally the owner. Manager Hendershot tried calling Mr. French again with no response.

\* Councilperson Remke asked that 1409 Seventh Street be inspected before it is rented out. Neighbors are upset that house is going to be a rental. Manager Hendershot reported this house could be added to the vacant house registration list.

\* Councilperson Remke asked for the status of the Carpet Barn at 2<sup>nd</sup> Street & Washington Avenue. Manager Hendershot reported the Building Inspectors are doing a follow up on that property.

\* Councilperson Remke asked for the status of 907 Seventh Street. Chief Kudlak reported officers are attempting to serve warrants on the owner.

\* Councilperson Remke looked at water rates from Benwood & McMechen and asked if the City of Moundsville could sell water to them. Manager Hendershot pointed out that the new Water Treatment Plant was built to produce a certain amount water and would require adjustments to the plant to produce additional quantities to supply Benwood and McMechen.

\* Councilperson Remke reported some buildings on Jefferson Avenue are being used for storage instead of retail. Manager Hendershot reported that Building Inspector Mercer has sent letters to building owners advising them that buildings are to be used as retail business, not storage.

\* Councilperson Remke asked Manager Hendershot when somebody was coming to Moundsville from Smart Zone. Manager Hendershot said thought they would be here this month.

## **NEW BUSINESS:**

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

\* Councilperson Saunders announced that Tom Sutton has resigned his position as Recreation Director after 36 years of service. Mr. Sutton's last day was February 28, 2011. Mark Baker

will be serving as interim director.

\* Councilperson Remke asked how much the city received from the insurance company for the accident on Third Street & Jefferson Avenue that damaged a bench and a tree? Manager Hendershot reported the bench and tree will be replaced using the insurance funds.

\* Councilperson Remke asked if the building inspectors were certified for residential and commercial? Manager Hendershot said that both inspectors are in the process of being certified for residential and commercial. Mr. Remke commended Building Inspectors Mercer and Schneider for a great job.

\* Councilperson Remke asked what the library uses the money the city allocates to them. Manager Hendershot explained the city and county contribute funds to the library for expenses, salaries, equipment, books etc.

\* Councilperson Wood commented that some of the library's funding comes from the Coal Severance Fund.

\* Councilperson Simms made comment to the handout relating to the new asphalt machine purchased by the Steubenville Street Department. Street Commissioner Richmond said the equipment is similar to the Dura Patcher.

#### **MANAGER ITEMS:**

##### **DOH Project Update.**

Belomar announced bridge replacement and addition of fifth lane to Rt. 2 north Lafayette Avenue to be added to the program. Design to begin 2011 and construction slated for 2014.

##### **Fostoria Project.**

Manager Hendershot, GAB and DEP will meet in the Council Chambers on March 3, 2011 at 10:00 p.m., to sign the Voluntary Remediation Program (VRP).

##### **Sanitary Board Project.**

Bid opening will be held on Tuesday, March 8, 2011 at 10:00 a.m. at the Sanitary Plant.

##### **Knights of Pythias Building.**

Manager Hendershot and representatives of the K of P will meet at the Office of Attorney Tom White, March 2, 2011 at 9:00 a.m., to develop a deed and enable final purchase.

##### **Housing Rehabilitation Grant.**

The WV Development Office has given verbal approval to utilize the closeout funds from the Housing Rehabilitation Grant in the amount of \$25,000 to create handicap access and restrooms at the Knights of Pythias building.

**Proposed Water Rate Increase.**

The Moundsville Water Board and Attorney James Kelsh will be attending the Finance Committee meeting on Tuesday, March 8, 2011 at 5:00 p.m.

**2011-2012 Proposed General Fund Budget.**

Council members were provided an edited version of the 2011-2012 budget to be discussed at the next Finance Committee meeting. Council must make final approval and submit the State of West Virginia by the end of March 2011.

**Stormwater Utility Board.**

The Stormwater Utility Board will meet on Monday, March 21, 2011, to review engineering remedies for flooding in the east end of Moundsville.

**Moundsville Housing Authority.**

The Moundsville Housing Authority was given a score of 30 out of 30 by the Public Housing Assessment System.

**Resignation Letter.**

Manager Hendershot announced that Chief Jim Kudlak has submitted his letter of resignation for April 30, 2011.

**Other Items to be Discussed by City Manager.**

\* Manager Hendershot received a letter from a city resident who opposes all of the increases proposed by the City of Moundsville.

Councilperson Simms made a motion to receive and file the letter, seconded by Councilperson Haynes. Motion carried unanimously.

Councilperson Wood made a motion to instruct the City Manager to send a response letter to the resident, seconded by Councilperson Simms. Motion carried unanimously.

**Certifications by Attorney White.**

Attorney White submitted certified legal ads published in the Moundsville Daily Echo to be received and filed by council:

1. Zone Change Ordinance for 1306-1308 Seventh Street
2. Zone Change Ordinance for 10<sup>th</sup> Street & Thompson Avenue

Councilperson Wood made a motion to receive and file the zone change ordinance, seconded by Councilperson Simms. Motion carried unanimously.

#### **MAYOR ITEMS:**

\* Mayor Wallace congratulated Chief Jim Kudlak and Recreation Director Tom Sutton on their retirement.

#### **COMMITTEE ITEMS:**

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

Councilperson Saunders scheduled a finance meeting on Tuesday, March 8, 2011 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.**

Councilperson Wood scheduled a policy meeting following the traffic meeting.

#### **COUNCIL ITEMS:**

\* **Wood** - Would like to see a plan for the Knights of Pythias building concerning the parking situation if the Police Department should happen to relocate there.

\* Congratulated Gene Saunders on being appointed as Chairperson of the Parks & Recreation Board.

\* Congratulations to Police Chief Kudlak on his retirement.

\* Welcome back to Fire Chief Clarke after shoulder surgery.

\* Welcome back Councilperson Saunders after knee surgery.

\* Asked when dispatchers will be hired since the interview process was conducted. Manager Hendershot noted that he was waiting on recommendations from the Police Chief.

\* **Saunders** - Asked if Manager Hendershot researched the possibility of city pension plan for part time employees. Manager Hendershot will bring information to the Policy meeting.

\* Announced the Skate Park Committee has received some donations and hope to put the project out for bid in the spring.

\* **Haynes** - Asked Fire Chief Clarke if anything has been done at 2 & 2½ Hickory Avenue concerning the chimney problem. Chief Clarke advised that he is addressing the matter.

\* **Remke** - Reported some citizens are requesting the Community Crime Watch Program.

\* Asked if the Street Department would be able to participate in erecting and secure a 30-35 ft Christmas Tree in the BB&T lot this year. Mayor Wallace said this request could be discussed at the Finance or Policy due to legal issues.

\* Asked if the Street Department would be able to place plant hanger brackets on light poles to hold flower arrangements purchased by the Beautification Committee? Council will discuss this matter at the Finance meeting.

\* Invited Mayor Wallace and Vice Mayor Saunders to attend the Tourism Meeting on March 16, 2011, at 6:00 at Grand Vue Park.

\* Announced the Bark, Sniff & Howl Convention will be scheduled for 2012.

\* **DeWitt** - Asked when council will be discussing the paving list. Manager Hendershot advised after the budget has been approved.

\* Requested holes on McConnell Drive be filled when the Street Department starts patching.

\* Congratulation to Police Chief Kudlak and Recreation Director Sutton on their retirement.

\* Received a letter from Goodwill providing information on their recycling program for computers and computer equipment.

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

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

Meeting adjourned at 8:30 p.m.

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Sondra J. Hewitt, City Clerk

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Dennis Wallace, Mayor