

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

The Council of the City of Moundsville met in Regular Session in the Council Chambers on August 2, 2011 at 7:00 p.m.

Meeting was called to order by Vice Mayor Gene Saunders.

Invocation was given by Councilperson Mark Simms.

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

MINUTES:

Regular Council Meeting of July 19, 2011.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of July 19, 2011, seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Richard King, Co-owner Uniquely Yours & member of Moundsville Activities Committee, ask council to refer to the Traffic Subcommittee that Jefferson Avenue be blocked from Third Street to Fifth Street during the Zombie Walk for food vendors & demonstrators.

* Amy Toler, 27 Fostoria Avenue, asked council members if they were aware of any discussion with the Moundsville Volunteer Fire Department to develop a camp ground on their property at Fostoria Avenue & Walnut Avenue? Council was unaware of any discussions.

OLD BUSINESS:

Other Items to be Discussed by Council.

* Councilperson DeWitt reported weeds along Fostoria Avenue need cut at the Fostoria Site.

* Councilperson DeWitt suggested the RV Camp Site be developed on the property by the new Water Treatment Plant. Manager Hendershot advised due to security purposes, an RV Park could not be established by the Water Plant. Mrs. DeWitt asked Manager Hendershot to research how far away would the RV Park have to be to the plant.

* Councilperson DeWitt asked in the future when any company approaches the city to use their letterhead for advertising of insurance or other services, council should not approve the request. Manager Hendershot informed council the Utility Service company will be at the WV Municipal League with other vendors.

* Councilperson Remke asked for an updated structure report from the Building Inspectors.

* Councilperson Remke asked council to discuss the truck routes at the Traffic Committee meeting.

* Councilperson Remke asked for the percentage of Coal Severance for the next Finance Committee meeting.

* Councilperson Remke referred to the Policy Committee the discussion of prohibiting buses such as “Girls Gone Wild” in Moundsville.

* Councilperson Remke asked how much money is available for street paving? Manager Hendershot reported \$200,000 is available for paving. The engineers have been directed to go out to bid.

* Councilperson Remke asked for an update on E-Government. Vice Mayor Saunders commented that further discussion was tabled until Ms. McDowell could meet with the front office.

* Councilperson Remke asked for the status of the Carpet Barn building windows have been open. Building Inspector Mercer has not been able to speak with the owner.

* Councilperson DeWitt made a motion to receive and file letters from the Calvary United Methodist Church and Ash Avenue Church of God concerning “Girls Gone Wild” bus, seconded by Councilperson Wood. Motion carried unanimously.

* Councilperson Wood asked for an update on the Fostoria project. Manager Hendershot reported that Mr. Brown would like to meet with council concerning the Fostoria contract in Executive Session.

NEW BUSINESS:

Discussion and Approval of a Resolution Authorizing the City Manager to Enter Into a Contractual Agreement with the Division of Justice & Community Services to Receive and Administer Grant Funds for a Prevention Resource Officer.

Councilperson Remke made a motion to approve the resolution administering grant funding for a Prevention Resource Officers, seconded by Councilperson Wood. Motion carried unanimously.

Discussion and Approval of Truck Bids for Two Pickups for the Street Department.

Councilperson Simms made a motion to award the bids to Bob Robinson for a 2011 Chevy Colorado 4-WD extended cab work truck in the amount of \$22,886 and a 2011 GMC 2500 HD 4WD 3/4 ton pickup truck in the amount of \$25,950, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion of Agreement with the Marshall County Chamber of Commerce for Installing Speakers on Jefferson Avenue.

Councilperson Simms made a motion to approve agreement with the Marshall County Chamber of Commerce to install speakers on Jefferson Avenue, seconded by Councilperson Wood. Motion carried unanimously.

Discussion and Approval of Amending Article 953 of the City Code Concerning Leaving Garbage Cans on the Street. (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 953.07 BY ADDING A SUBSECTION THERETO, BEING 953.07(B)(1)(E) PROHIBITING GARBAGE AND GARBAGE CANS BEING PLACED IN VIEW OF THE STREET EXCEPT FOR THE DAY GARBAGE PICKUP AND THE DAY BEFORE (FIRST READING)

Councilperson Remke made a motion to accept and approve the garbage ordinance, seconded by Councilperson DeWitt.

Vice Mayor Saunders called for a voice vote. City Clerk announced the following tally. Remke, Saunders, Wood, DeWitt and Haynes voting yea. Simms voting nay. 5 yeas, 1 nay. Motion carried.

Other Items to be Discussed by Council.

* Councilperson Remke expressed his concerns if there should be a water line disruption on Jefferson Avenue while the contractors are working. Does the city have a backup plan to keep the businesses operating? Manager Hendershot reported that water will be shut off at all businesses on the west side when the ditch goes through. They have to shut off all utility lines to cross the ditch because contractors have to work in a trench box because of the depth of the sewer. The Water Board is in agreement with crimping the line, moving the trench box through as quickly as possible and reconnect the lines.

* Councilperson Remke invited council members to the Moundsville Activities informational meeting on Thursday, August 4, 2011 at 8:30 a.m., at the Helping Hands Medical Store.

* Councilperson Remke asked council to discuss the possibility of a house decorating contest for Halloween. Councilperson Remke referred this to Finance Committee.

* Councilperson DeWitt suggested hanging Halloween lights in the trees on Jefferson Avenue.

MANAGER ITEMS:

* Manager Hendershot reported the City Engineer has begun work on the bid books and specifications for paving the proposed streets. Bids should be received and presented to council at the August 16 council meeting.

* Manager Hendershot will be setting up a meeting with the Utility Service Partners who will be at the WV Municipal League Conference in Huntington.

* Congratulations to Firefighter Gary Brandon who passed the Fire Certification Journeyman test.

* Comcast has sent a letter asking council to help inform residents of a new program designed with the assistance of the Federal Communications Commission to help bridge America's digital divide, called Internet Essentials. In conformity with the National Broadband Plan, the program addresses key barriers to Internet access and adoption by providing affordable Internet access, the opportunity to purchase a computer and training to low-income families with at least one child receiving free lunches under the National School Lunch Program. Additional information can be found at www.internetessentials.com.

* Manager Hendershot met with the individual interested in developing a RV Park at the Riverfront. The process of doing business with the city was explained, such as background investigation of his company and references from areas he previously services. The individual was no longer interested.

* Manager Hendershot spoke with an Engineer of DOH concerning the status of the Jefferson Avenue Extension bridge which has been pushed back to 2015. Manager Hendershot sent letters to the Governor's Office and our Congressmen who had in turn sent a letter asking if the project could be moved up.

* The city is still in the process of new lighting for the council chambers, with \$1400 left from the energy grant, Manager Hendershot asked that council authorize him to move forward to obtain lighting and ceiling tiles for the council chambers.

* Manager Hendershot and Vice Mayor Saunders attended the Marshall County Chamber meeting in which a presentation was given by "Just Beneath the Surface" providing the public with factual information about the natural gas industry in West Virginia.

Other Items to be Discussed by City Manager.

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

1. For Sale Bids on a 2001 Mack Refuse Truck
2. Bids for 2011 3/4 Ton Pickup Truck
3. Zoning Variance for 1105/1107 12th Street
4. Zoning Variance for 2024 Meighen Avenue
5. Zoning Variance for 31 Fostoria Avenue
6. Zoning Variance for 206 Sandy Avenue
7. Zoning Variance for 198 Highland Avenue

Councilperson Simms made a motion to receive and file the certificates of publications, seconded by Councilperson Wood. Motion carried unanimously.

Councilperson Wood moved to hold an executive session for personnel matters and contractual agreements, seconded by Councilperson Simms. Motion carried unanimously.

MAYOR ITEMS:

* Vice Mayor presented Manager Hendershot with a list of items for work orders.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Vice Mayor Saunders scheduled a finance meeting on Tuesday, August 9, 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:

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

* **Remke** - Nothing at this time.

* **Wood** - Brought to the attention of council that parliamentary procedure notes that items

should not be voted upon unless they are listed on the agenda. City Attorney White agreed with Councilperson Wood and commented that council should consider following this procedure in the future.

* Council should start procedures in searching for a city manager.

* Asked what the city receives from the Comcast Franchise Fee.

* Asked to look at the policy concerning city employees taking comp time to report to another job.

* **Haynes** - Reported a tree down at the corner of 9th & Lafayette Avenue.

* **DeWitt** - Asked when the handicapped facility will be started at the Police Department. Manager Hendershot reported meeting today, performed a pre-construction walk through, contracts were signed. Job completion is approximately 2 weeks.

Councilperson DeWitt made a motion to go into an Executive Session for Personnel and Contractual matters, seconded by Councilperson Wood. Motion carried unanimously.

Meeting recessed at 8:10 p.m.

Meeting reconvened at 8:15 p.m.

Executive session began at 8:15 p.m.

Executive session recessed at 8:45 p.m.

Regular session reconvened at 8:45 p.m.

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

Meeting adjourned at 8:45 p.m.

Sondra J. Hewitt, City Clerk

Gene Saunders, Vice Mayor