

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
MAY 6, 2008**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on May 6, 2008 at 7:00 p.m.

Meeting was called to order by Mayor Wayne Lemasters.

Invocation by City Manager Allen Hendershot.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: Cunningham, Haynes, James, Simms, Wallace, Wood and Mayor Lemasters. Also present: City Manager Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Wise, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of April 15, 2008.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of April 15, 2008, seconded by Councilperson Wallace. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Donna Richards, 1814 Penn Street, complained of kids stealing her kids bikes several times. She had reported the incidents to the Police Department but feels nothing is being done to punish the kids or stop them from stealing again.

Chief Kudlak reported that officers have issued warrants and arrests have been made. The officers are still investigating and feel their hands are tied concerning the courts decisions.

NEW BUSINESS:

Discussion and Approval of a Resolution to Authorize the City Manager to Submit an Application to the Governor's Community Participation Grant Program for the Moundsville Economic Development Council in the Amount of \$43,250.

Manager Hendershot noted this grant if by MEDC through the City of Moundsville for repairs to the roof at the prison. Councilperson Simms made a motion to authorize the City Manager to submit application, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of an Ordinance Concerning the Election of Mayor and Vice Mayor. (First Reading)

Attorney White read the following charter change 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 AND REENACTING SECTION 7 OF THE CHARTER OF THE SAID CITY OF MOUNDSVILLE TO AMEND THE TIME FOR ELECTION OF THE MAYOR AND VICE MAYOR OF THE CITY OF MOUNDSVILLE. (FIRST READING)

Councilperson Wood made a motion to accept and approve the charter change ordinance, seconded by Councilperson Simms.

Mayor Lemasters called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Review and Authorization for City Manager to Submit Verification in Reference to Pending Civil Suit.

Councilperson Wallace made a motion to authorize City Manager Hendershot to submit verification in reference to pending civil suit, seconded by Councilperson Simms.

Mayor Lemasters called for voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Haynes asked what council was going to do about the property owners that leave their grass grow all summer? Manager Hendershot advised he was going to discuss that under Manager Items.

MANAGER ITEMS:

Resignation Letter from Nick James.

Manager Hendershot announced that Nick James had submitted a letter of resignation for the Moundsville Housing Authority. The vacancy will be advertised.

Resignation Letter from Jane Klug.

Manager Hendershot announced that Jane Klug submitted her resignation for the Moundsville Planning Commission. The vacancy will also be advertised.

Thank You Letter from Moundsville Business & Cultural District.

The Moundsville Business & Cultural District sent a letter of thanks to Street Commissioner Jim Richmond and his staff for the work they did installing the new street banners along Jefferson Avenue and Lafayette Avenue.

Business After Hours.

The Marshall County Chamber of Commerce is sponsoring a Business After Hours to honor all veterans at the Prima Marina in Moundsville hosted by Altmeyer Funeral Home. Reservations can be given to Marilyn Kaufman.

Mock Riot and Mock Riot Command March.

The Annual Mock Riot will be held at the National Corrections Law Enforcement Training Technology Center (NCLETTTC) Monday, May 12 thru May 15, 2008. The Mock Riot Command March will begin at 12:00 noon using Moundsville's Parade route.

Grave Creek Mound Archaeological Complex.

The West Virginia Division of Culture and History and Grave Creek Mound has requested the presence of Council, Mayor and City Manager for the Grand Opening Ceremony of the West Virginia Archaeological Research Facility to be held Monday, May 12, 2008 from 1-2 p.m., at 801 Jefferson Avenue and a reception will follow. Governor Manchin is expected to attend.

Tire Clean Up in Moundsville.

Manager Hendershot announced a free tire clean up on May 31, 2008 at the Marshall County Fairgrounds. Citizens are urged to take advantage of the clean up. Officers will be writing citations for tires left on property after May 31.

Yard Sale Permits.

Yard Sale Permits can be obtained at the Moundsville City Building. Resident are allowed four permits per year for 2 day events. Officer will be checking these permits.

B&O Collection Program.

The City of Moundsville will continue to conduct internal reviews of sales estimates and payments from businesses for B&O Tax including obtaining information from the State Tax Office. Moundsville is continuing to participate in the Municipal League collection program.

Grass Clipping Regulations.

Manager Hendershot announced that grass clippings are not to be swept into the street. Grass clippings get washed into the sewer causing problems at the Treatment Plant.

NIMS (National Incident Management System) Certification.

Manager Hendershot attended a Community Threat Preparedness Meeting sponsored by the Health Department to educate the community on pandemic and other disasters. Also, NIMS certification is important for council members to become certified so the city can obtain federal funding from Homeland Security and FEMA

Local Dealership to Attend Finance Committee.

Manager Hendershot announced that a local dealership is asking to attend a Finance Meeting to discuss with council B&O Tax concerns.

Letter from Teletech.

Received a letter from Teletech asking Moundsville Council to consider a re-evaluation of their B&O Taxes for another five years. Manager Hendershot responded to the letter noting the request will be brought before a subcommittee for review.

Teletech Employee Celebration.

Teletech has invited the City Manager and Council to celebrate their 10 year anniversary on May 21, 2008 from 11:30 a.m. to 1:00 p.m. at 100 Teletech Drive.

News Release from WV Department of Highways.

The WV Department of Highways announced the inspection of the Arch Moore Bridge on WV 2 over the Ohio River. The inspection will take place from May 12 -16, 2008 from 7:30 a.m. to 5:30 p.m. West bound and east bound slow lane will be closed at various times.

Employee Life Insurance Quotes.

Manager Hendershot supplied council with copies of employee life insurance quotes which will be discussed at the next Finance Committee Meeting.

Councilperson Simms made a motion to refer this matter to the Finance Committee, seconded by Councilperson Wallace. Motion carried unanimously.

Other Items to be Discussed by City Manager.

* Manager Hendershot supplied council with copies of civil claims against the city. These forms can not be disclosed to the public.

* Manager Hendershot has copies of the Police & Fire Department Actuarial Pension Valuation

and provided brief overview of findings.

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

1. Municipal Fee Rate Increase Ordinance
2. Zoning Appeals Variance or Exception

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

MAYOR ITEMS:

* Mayor Lemasters wished to that the Police and Fire Department for assisting during the celebration of Children's Memorial Day. St. Francis student and Central Elementary students participated.

* Mayor Lemasters attended the National Day of Prayer celebration at the Monarch Stadium which was well attended.

* Mayor Lemasters asked Building Inspector Wise concerning who needs building permits. Mr. Wise reported building permits are required for jobs over \$300 and plumbing & electric permits are required separately.

* Mayor Lemasters hoped the building inspectors will be issuing letters for the property located on Grant Avenue between 2nd & 3rd Street in the rear. The whole roof is falling in.

* The Seventh Street project had on site pre-bid contractors last week. Mayor Lemasters hopes the Sanitary Board will have bids ready on May 29th.

* Mayor Lemasters noted the City Building needs a better air system.

* Mayor Lemasters also reported on Weaver Avenue between 11th & 12th house has been empty for many years.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Councilperson Wallace scheduled a Finance Meeting on May 14, 2008 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.

* **Wallace** - Nothing at this time.

* **Wood** - Asked for an update on the Fostoria project. Manager Hendershot advised that contracts have been proposed and will be brought before the Moundsville Building Commission.

* Any new information concerning the property at 9th & Lafayette Avenue. Manager Hendershot advised there was none.

* Reported nothing has been done to the house across from Smith Mart.

* Reported the road needs patched leaving the IGA Plaza. Councilperson Haynes said it had been patched.

* **Cunningham** - Asked if the youth football team will be using the property at the Riverfront this year. Manager Hendershot advised they will not be utilizing the property. Mr. Cunningham asked that a swing be placed in that area.

* Asked if the city is going to use Orkin to bait rats in the sewers.

* Asked when the Street Department was going to get the lift for vehicles at the garage. Manager Hendershot reported there hasn't been any money to make the purchase and advised this item is in next year's budget.

* Asked when Street Commissioner Richmond was going to hire workers. Mr. Richmond advised they will hire as soon as they find individuals who have a knowledge of backhoes, dump trucks and other equipment.

* Reported a lot of grass clippings in the street.

* Asked when the benches and swings can be installed. Manager Hendershot commented that both the Street Department and Recreation is short handed.

* Asked if council member road by 9th & Grant Avenue.

* **James** - Nothing at this time.

* **Haynes** - Reported garage roof collapsing at 29 Hickory Avenue.

* Reported the grass is 2½ feet high at 3 Elm Avenue.

* Reported residents moved from 47 Linden Avenue & left garbage.

* Reported house has garage all around it at 1 Oak Avenue.

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

Meeting adjourned at 8:05 p.m.

Sondra J. Hewitt, City Clerk

Wayne Lemasters, Mayor