

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
JANUARY 6, 2009**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on January 6, 2009 at 7:00 p.m.

Meeting was called to order by Mayor David Wood.

Invocation by Councilperson K Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: Haynes, Saunders, Simms, Wallace, Young and Mayor Wood. Absent: Cunningham. 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 December 16, 2008.**

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of December 16, 2008, seconded by Councilperson Simms. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

\* Phil Remke, 227 Jefferson Avenue, thanked the Street Department for filling pot holes. He also informed council that he was sponsoring a "Health Talk" two time a month for two hours. The program allows citizens to hear doctors speak on different subjects of health.

Mr. Remke has asked that council grant free parking from 12:30 -2:30 two times per month in the city lot. Mayor Wood referred this matter to the Traffic Committee.

\* Mr. Kachalo, 31 Fostoria Avenue, asked council if they are going to do anything about his property measurements. Mayor Wood advised Mr. Kachalo this matter is civil. He also stated that neighbors in the morning park their vehicles near his back door where fumes go into this his house. Officers will patrol.

\* David White, 406 Clinton Avenue, asked if the purchase of the city van was in the budget. Manager Hendershot advised that it was not. Mr. White asked if any new businesses were coming to Moundsville. Manager Hendershot advised not that he is aware of.

**OLD BUSINESS:**

**Discussion and Approval of an Ordinance Pertaining to Security Deposits for Certain Garbage Customers. (Second Reading)**

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

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING SECTION 953.10 OF THE CITY CODE TO PROVIDE FOR SECURITY DEPOSITS ON CERTAIN GARBAGE CUSTOMERS. (SECOND READING)**

Councilperson Simms made a motion to accept and approve the ordinance, seconded by Councilperson Haynes for discussion. Councilperson Wallace asked if one month deposit was changed to two months? Attorney White advised it was.

Mayor Wood called for a voice vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

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

Councilperson Saunders asked council if Councilperson Cunningham's position can be temporarily filled and placed on a medical leave since his doctor provided a letter stating Mr. Cunningham was under his care.

Attorney White informed Councilperson Saunders that the ordinance passed in December allows council to replace Mr. Cunningham if he misses three consecutive meetings and is a unanimously vote by council.

**NEW BUSINESS:**

**Appointment to the Zoning Board. (Council's Appointment)**

Manager Hendershot received a letter from Dwight Cunningham expressing his willingness to serve on the Zoning Board.

Councilperson Wallace made a motion to appoint Dwight Cunningham to the Zoning Board, seconded by Councilperson Saunders. Councilperson Haynes asked if Mr. Cunningham will be causing a conflict because he is trying to get his property re-zoned. Manager Hendershot advised that Mr. Cunningham will not be able to vote on something that concerns his own property.

Mayor Wood called for a voice vote on the motion. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

**Appointment to the Moundsville Police Civil Service Commission.**

Manager Hendershot reported that no action has been taken to fill vacancies on the Moundsville Police Civil Service Commission. The vacancies from Gene Saunders (Chamber of Commerce appointment) and Mike Richmond (FOP appointment) need to be filled.

**Discussion of Bids for City Van.**

Council members were presented with bids received on 12/30/2008 for a seven passenger van.

1. Glen Dale Motors	2008 Dodge Grand Caravan SXT	\$16,000
	2008 Dodge Grand Caravan SXT	\$19,162
	2008 Chevy Uplander LS	\$18,534
2. Dale's Pontiac Sales	2008 Chevy Uplander	\$12,800
	2008 Chevy Uplander	\$12,800
3. Auto Choice	2008 Chevy Uplander	\$9,470

Councilperson Simms made a motion to accept the low bid from Auto Choice in the amount of \$9,470.00, seconded by Councilperson Haynes.

Councilperson Wallace commented that he was not in favor of the purchase because it was not in the budget. Mayor Wood also agreed.

Mayor Wood called for a voice vote. City Clerk announced the following tally. 2 yeas, 4 nays.

Haynes and Simms voting nay. Motion failed.

**MANAGER ITEMS:**

**Appointment to the Planning Commission. (Manager's Appointment)**

Manager Hendershot received a letter from Gary Nisperly showing an interest to serve on the Planning Commission. Manager Hendershot will appoint Mr. Nisperly to a 3 year term.

**City of Moundsville Liability Insurance Renewal.**

Manager Hendershot will be working with Commercial Insurance for Liability Insurance for the city. The manager was contacted by Wells Fargo who reviewed current coverage and was unable to compete with the rates Moundsville was already receiving. The rates have dropped from \$250,000 to \$90,000.

**Thank You Letter Received.**

The City of Moundsville received a thank you card from Martha and Mark Hitt expressing appreciation in the passing of husband/father, O Leroy Hitt. Manager Hendershot asked for a moment of silence in remembrance of O Leroy Hitt and Chester Dobbs.

**Letter of Resignation.**

Rick Young submitted a letter of resignation from the Moundsville Building Commission. Councilperson Simms made a motion to receive and file the letter of resignation, seconded by Councilperson Wallace. Motion carried unanimously.

**WV Tax & Revenue Assessment.**

The City of Moundsville received a notice from the State Tax Department which authorizes the Marshall County Assessor to receive up to 2% of the previous year's projected tax collections for loan obligations.

**Debt Affordability Study and Debt Consulting.**

The Debt Affordability Study and Debt Consulting Report has been provided to the City Manager and the invoice was paid to the West Liberty State College Government Policy Research Center.

**Law Suit Settlement.**

Manager Hendershot advised council that a recent law suit concerning an incident on the Riverfront Walking Trail has been settled.

### **WV Municipal League Winter Conference.**

The WV Municipal League Winter Conference will be February 15 & 16, 2008 in Charleston. Council members wishing to attend need to contact Marilyn.

### **Other Items to be Discussed by the Manager.**

Manager Hendershot reminded council member of the meeting with the Marshall County Commissioners in the Council Chambers Wednesday at 2:00 p.m.

### **MAYOR ITEMS:**

- \* Mayor Wood reminded council members to prioritize their paving list and turn them into Councilperson Simms or Manager Hendershot.
- \* Announced the Winter Carnival had a good turn out even though the weather was very cold. Hopes they continue to look at options for next year.
- \* The Policy Committee will be working on establishing goals for the City and City Manager.
- \* Employee Christmas party had a good turn out and food was delicious.
- \* Mayor Wood presented the list of new committees for council members.
- \* Council Members will need to prioritize dilapidated properties in the city.
- \* Reminded council of the meeting with the County Commissioners.

### **COMMITTEE REPORTS:**

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

Councilperson Wallace scheduled a Finance meeting on Tuesday, January 13, 2009 at 5:00 p.m.

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

Councilperson Simms scheduled a Traffic meeting after the Finance meeting.

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

Mayor Wood scheduled a Policy meeting after the Traffic meeting.

### **COUNCIL ITEMS:**

- \* **Haynes** - Reported a tree needs cut on Chicken Alley by Wesley Park.
- \* **Saunders** - Announced that he is happy to serve on council and looking forward to working with fellow council members.
- \* Received complaints about the curbs on Virginia Street.
- \* **Young** - Announced that he was looking forward to working with council members.
- \* **Wood** - Congratulations to Gene & Rick on their election to council and also to Councilperson Haynes, Simms and Wallace on their re-election.
- \* **Wallace** - Wished to welcome new council members Gene & Rick looking forward to working with them.
- \* Wished to thanked employees for the Christmas Party luncheon.
- \* **Simms** - Apologized for missing the Christmas Party.
- \* Reported the city parking lot on Morton Avenue needs cleaned up, a lot of trash and broken glass.
- \* Reported several broken parking meters.
- \* Wished to welcome Gene & Rick to council.

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

Meeting adjourned at 7:46 p.m.

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Sondra J. Hewitt, City Clerk

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David Wood, Mayor