

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
OCTOBER 15, 2013**

The Council of the City of Moundsville met in regular session in the Council Chambers on October 15, 2013 at 7:00 p.m.

Meeting was called to order by Mayor Eugene Saunders.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, D. Haynes, P. Haynes, Remke, Simms, Wood and Mayor Saunders. Also present: City Manager Deanna J. Hess, Asst. Fire Chief Walker, Police Chief Mitchell, Street Foreman Stocklask, Building Inspector Richmond, Kathryn Goddard, Attorney Thomas White, and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of October 1, 2013.

Councilperson P. Haynes moved to accept and approve the minutes of the regular council meeting of October 1, 2013, seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Michael Pierson, owner/operator of Treasure Chest, 323 Jefferson Avenue, explained that he was forced to purchase a Pawn Shop business license when he does not loan money to customers for merchandise as a pawn broker does. Mr. Pierson also stated that he is not the only business on Jefferson Avenue that buys merchandise to resell. And he does not feel he should hold the property for 10 days before selling it.

Attorney White informed Mr. Pierson the city code states since he buys personal property for resale he is considered a pawn shop. And since property that Mr. Pierson purchased was discovered to be stolen, Chief Mitchell feels that Mr. Pierson must hold the property for 10 days.

Councilperson Simms moved to review the Pawn Shop/Pawn Broker ordinance at the Policy Committee meeting on November 12, 2013, seconded by Councilperson Remke. Motion carried unanimously.

* William Smith, 1010 Morton Avenue, asked what the city plans to do about his neighbor's property located across the street from him? Building Inspector Richmond reported the property owner was issued a citation for Health & Sanitation Violation and is also trying to locate him.

* Carl Boso, 305 10th Street, complained of the hot dog cart operators is still not putting money

in the meter and asked if he had been ticketed yet? Also, asked if Panhandle Cleaning at 7th Street & Court Avenue are paying for the meters they are occupying? Manager Hess reported the hot cart operator was informed if he didn't put money in the meter he would be ticketed. She also informed Mr. Boso usually when a company is conducting business occupying meters stop in to pay rent on those meters but not sure if Panhandle obtained a permit.

Councilperson Remke moved to discuss the meter ordinance at Policy Committee meeting, seconded by Councilperson Simms.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. DeWitt, Remke, Simms and Wood voting yea. D. Haynes, P. Haynes and Mayor Saunders voting nay. 4 yeas, 3 nays. Motion carried.

OLD BUSINESS:

Discussion and Approval of an Abandonment Requested by the Marshall County Commission for Property Located Behind the Former Jozabeth Building. (Second Reading)

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

AN ORDINANCE VACATING, ABANDONING AND ANNULING A PORTION OF AN ALLEY INTERSECTING THE WEST SIDE OF TOMLINSON AVENUE AND RUNNING BETWEEN SEVENTH AND EIGHTH STREETS AND ITS INTERSECTING ALLEY GOING TO EIGHTH STREET (MARSHALL COUNTY COMMISSION) (SECOND READING)

Councilperson Remke moved to accept and approve the abandonment ordinance, seconded by Councilperson DeWitt.

Mayor Saunders called for a ballot vote. City Clerk announced the following tally. P. Haynes, Remke, Simms, Wood, Mayor Saunders, DeWitt and D. Haynes. 7 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

- * Councilperson Wood reported the manhole at 1st Street & Grant Avenue needs repaired.
- * Councilperson Wood asked for an update on contracting an individual to continue with the updates of the Comprehensive Plan and On Trac program. Manager Hess advised this request was still in the process.
- * Councilperson DeWitt reported a hole needing repaired on Eighth Street in front of former

B&K Market.

* Councilperson P. Haynes reported the street caving in off Cherokee Drive on Campground Road.

* Councilperson Remke made a motion to discuss a sidewalk repair ordinance at the Policy Committee meeting, seconded by Councilperson Wood.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. Simms, Mayor Saunders, DeWitt, P. Haynes and D. Haynes voting nay. Remke and Wood voting yea. 5 nays, 2 yeas. Motion failed.

* Councilperson Remke asked if anything has been done with the catch basin at the intersection of Walmart Drive and Jefferson Extension. Manager Hess forwarded the information to Sanitary Superintendent Larry Bonar.

* Councilperson Remke asked if the trailer setting on sidewalk at 2nd Street & Cedar Avenue is legally parked? Chief Mitchell reported the sidewalk being wide enough that it is not obstructing pedestrians.

* Councilperson Remke reported vehicles are still parked on 2nd Street & Washington Avenue with expired stickers on them. Also, trash has accumulated behind the vehicles.

* Councilperson Remke asked if owners have been contacted about their property at 2008 Seventh Street rear where the tree has fallen into it? Building Inspector Richmond is addressing the problem.

* Councilperson Simms asked for an update for the bridge construction on Rt.2 north and Jefferson Extension. Manager Hess reported meeting with DOH representatives who advised these two projects have been pushed back to 2015 maybe 2016.

NEW BUSINESS:

Discussion and Award of 2012-2013 General Fund Audit.

CPA Kathryn Goddard reported receiving bids from two firms. Both firms were scored by Manager Deanna Hess, Treasurer Karen Ankrom and CPA Kathryn Goddard. Ms. Goddard recommends to award the bid of \$9,000 to Balestra, Harr, Scherer CPA, Wheelersburg OH.

Councilperson D. Haynes moved to award the City of Moundsville audit bid to Balestra, Harr, Scherer, seconded by Councilperson Simms. Motion carried unanimously.

Discussion and Approval of a Resolution of the Council of the City of Moundsville, West Virginia, Authorizing the Execution of a Certain Application for a Grant Through the

Community Participation Program. (Park View Playground Equipment \$10,000)

Councilperson Wood moved to authorize the execution of a certain application for a grant through the Community Participation Program for playground equipment for Park View in the amount of \$10,000, seconded by Councilperson Simms. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Remke moved to discuss at the Policy Committee meeting the Memorial Park Tribute, seconded by Councilperson DeWitt. Motion carried unanimously.

MANAGER ITEMS:

* Manager Hess announced Business After Hours will be held on Thursday, October 24, 2013 from 5-7 at Main Street Bank on Rt. 2. Any council member wishing to attend, please contact Marilyn.

MAYOR ITEMS:

* Mayor Saunders announced playground equipment for Park View playground has been ordered and will be installed by the Recreation Department.

COMMITTEE ITEMS:

Discussion of Recommendations by the Finance Committee.

1. Discussion of Donation Request from VFW Post #437 Roof Fund. Committee recommends to donate \$50.00 to the VFW Roof Fund.

Councilperson Wood moved to donate \$50 to the VFW roof fund, seconded by Councilperson P. Haynes. Motion carried unanimously.

2. Discussion of Donation Request from John Marshall Boys Basketball Booster for Ad. Committee recommends to donate \$50 to JMHS Boys Basketball.

Councilperson Wood moved to donate \$50 to the JM Boys Basketball booster, seconded by Councilperson Simms. Motion carried unanimously.

3. Discussion of Donation Request from John Marshall Hockey Program Ad. Committee recommends to donate \$30.00 to JMHS Hockey.

Councilperson Simms moved to donate \$30 to the John Marshall Hockey, seconded by Councilperson P. Haynes. Motion carried unanimously.

Discussion of Recommendations by the Policy Committee.

1. Discussion of Concern Dealing with Health Care Program to Benefit Federal Officials. Committee recommends letter drafted be referred to Council for approval.

Councilperson DeWitt moved to send letter to President concerning the Health Care Program, seconded by Councilperson P. Haynes. Motion carried unanimously.

Discussion of Recommendations by the Traffic Committee.

No recommendations at this time.

COUNCIL ITEMS:

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

* **Wood** - Nothing at this time.

* **Remke** - Reported intersection at 7th Street & Baker Avenue has been tore up and feels whoever tore it up should fix it.

* Announced on Tuesday, October 29, 2013, 4 tour buses will be traveling to Moundsville.

* **DeWitt** - Reported street sinking by the manhole at the intersection of 7th Street & Grant Avenue.

* **P. Haynes** - Nothing at this time.

* **D. Haynes** - Nothing at this time.

Councilperson D. Haynes moved to adjourn, seconded by Councilperson Simms. Motion carried unanimously.

Meeting adjourned at 7:59 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders Sr, Mayor