

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JUNE 21, 2011**

The Council of the City of Moundsville met in regular session in the Council Chambers on June 21, 2011 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by City Manager Hendershot.

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, Acting Police Chief Whipkey, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Schneider, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of June 7, 2011.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of June 7, 2011, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Tim Harrison, 1012 Thompson Avenue, concerning violations of city code by the property owner at 1008 Thompson Avenue. He commented that the Moundsville Planning Commission denied a variance for RV campers to be parked two feet from the property line instead of the normal 10 feet at the meeting of June 1, 2011. To this date, Mr. Cunningham has not moved the RV campers the allowed 10 feet. Also, Mr. Harrison complained that Mr. Cunningham should have removed himself as a Planning Commission member while his variance was discussed. Mr. Harrison plans to file a complaint with the West Virginia Ethics Commission.

After a lengthy discussion, Council members agreed that Building Inspector Schneider send Mr. Cunningham a letter demanding he move the RV campers the allowed 10 feet from the property line within 5 days.

Introduction:

Acting Police Chief Whipkey introduced newly hired police officer Jared Newman.

OLD BUSINESS:

* Councilperson DeWitt reported the Recreation Department and Street Department need some

assistance in cleaning up the boat docks at 13th Street. She reported some kids were playing with a ball, the ball landed on all the debris in the river, the child retrieved the ball thinking they could walk on the debris, falling into the water.

Councilperson Saunders reported that he will speak to the Parks & Recreation Board and advised that Acting Recreation Director Mark Baker has contacted the Army Corp of Engineers to set up a meeting.

* Councilperson DeWitt asked if the WV DOH has conducted a study for a turn signal for the bridge at 12th & Lafayette Avenue. Manager Hendershot has not had any contact with DOH concerning that specific issue.

* Councilperson Saunders asked if the city was ever going to provide for an ambulance service in Moundsville. Concerns that there won't be enough calls left throughout the rest of the county to maintain a paid ambulance service were discussed.

* Councilperson Saunders asked if the Police Department have been using the weight scales? Acting Chief Whipkey said the department has received complaints of trucks off the truck route and by the time the officers respond, the truck is gone. Also, the scales need to be hauled to the site with some help of the Street Department.

* Councilperson Haynes reported a resident of Highland Avenue was complaining that every time there is a storm they lose power because of trees hitting the power lines. Manager Hendershot advised that AEP trimmed the trees to their specifications. He will call AEP again advising them of the problem residents are still having.

* Councilperson Wood, concerning the street light request on Fourth Street, asked if the city was moving forward with that request? Manager Hendershot reported that he made contact with AEP, who no longer use the process of requesting the installation the city is then charged a little more each month for the electric and pole. AEP quoted the installation of two poles at \$800-\$900 for each pole.

Manager Hendershot suggested raising the lumen in the lights in that area.

* Councilperson Remke what council plans to do about the buildings on Jefferson Avenue that are being used as storage or warehouses for junk. Manager Hendershot reported the owners received letters that they are listed in the vacant building registry and will have to start paying the city for the building being vacant. City Code also has an ordinance that prohibits buildings to be used as warehouses which Building Inspectors are following up on.

NEW BUSINESS:

Discussion and Approval of a Resolution Concerning Budget Revision #3 for the 2010-2011 General Fund Budget.

Councilperson Simms made a motion to approve the resolution for budget revision #3, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of a Resolution Concerning Budget Revision #3 for the 2010-2011 Coal Severance Fund.

Councilperson Saunders made a motion to approve the resolution for budget revision #3, seconded by Councilperson Simms. Motion carried unanimously.

Discussion and Approval of a Resolution to Enter Into Annual Loans for Lease Purchase of Certain Items of Equipment for the City of Moundsville.

Councilperson Remke made a motion to enter into annual loans for the lease purchase of certain items of equipment, seconded by Councilperson Saunders. Motion carried unanimously.

Councilperson Remke also requested research better interest rates of the loans for the next finance meeting.

Discussion of Purchasing a New Facility for the Water Department Office.

Manager Hendershot reported that Superintendent Bill Dove does not have figures ready for council. Councilperson Wood commented that he is not in favor of purchasing a new building for the Water Department. He would like to have Superintendent Dove at the next council meeting to discuss this matter.

Discussion and Approval of Renewal for Workers Compensation for 2011-2012.

Councilperson Simms made a motion to approve renewal for workers compensation, seconded by Councilperson Saunders. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Saunders asked City Manager Hendershot to advertise for Parks & Recreation Director.

* Councilperson Remke asked Mayor Wallace if council was going to discuss an Ambulance Service or not. Council members agreed they no longer wished to discuss the issue.

MANAGER ITEMS:

Business After Hours.

The Marshall County Chamber of Commerce is sponsoring Business After Hours hosted by

A&B Kia, 100 Marshall Street, Benwood WV on Thursday, June 23, 2011 from 5:00 to 7:00 p.m. Any council members wishing to attend, please call Marilyn.

Appointment to the Moundsville Planning Commission. (3 year term)

Manager Hendershot re-appointed Fred J Brunner to the Moundsville Planning Commission.

Visit by the Wind Symphony.

Manager Hendershot asked council if they were interested in sponsoring the Wind Symphony for 2012. Council agreed to invite their manager to present information at a council meeting.

MAYOR ITEMS:

* Mayor Wallace asked for an update on Fostoria. Manager Hendershot reported that RAZE has placed fill which will require a round of testing, then another layer of fill and testing. And they have cleaned the back of the administration building.

* Mayor Wallace asked who is going to handle the camping trailer situation on Thompson Avenue? Manager Hendershot advised the Building Inspectors will take care of sending a letter, if there is still no response, officers will issue citations.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Discussion of Grant for City Building Lighting. Committee recommends proceed with advertising for bids for project.

Councilperson Saunders made a motion to proceed with advertising for bids for project, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Approval of Recommendations by the Traffic Committee.

1. Discussion and Approval of Paving Projects for 2011. Committee recommends the following streets to be engineered: Grant Avenue from 7th Street to 8th Street, Grant Avenue from 8th Street to 9th Street; Center Street (City Manager & Street Commissioner to determine what portion); 5th Street from Grant Avenue to Parriott Avenue; and Simpson Avenue from Forrest to Primrose.

Councilperson Simms made a motion to tentatively approve the street paving list and add 5th Street from Cedar Avenue to Parriott Avenue, seconded by Councilperson DeWitt. Motion carried unanimously.

COUNCIL ITEMS:

- * **Simms** - Asked if the city was going to update the Comprehensive Plan. Manager Hendershot reported he was in contact with a professor at WVU and the WVU Extension Office. He will continue to move forward on the project.
- * Wished to thank the employees for the work they do.
- * **Haynes** - Nothing at this time.
- * **Wood** - Asked if the city has any recourse when somebody doesn't follow through with an approved zone change. Attorney White commented when you have a certain zone is approved as long as the whatever they choose to build in that area falls under that special exception there is nothing the city can do.
- * Asked if the owner of 100 & 102 Jefferson Avenue is going to use that corner for a car lot? Manager Hendershot reported that Mr. Jackson paid for the demolition of 100 Jefferson Avenue and the city paid for the demolition of 102 Jefferson Avenue. He wants to pay the city for their share of the demolition at 102 Jefferson.
- * Asked if 114 & 117 Hickory Avenue are going to be demolished and if so, is there a list that can be provided to council to determine which buildings are demolished first. Manager Hendershot believes that 117 Hickory Avenue can be demolished by the Street Department saving the city money.
- * **Saunders** - Understands that Brad Varlas is going to request more camping spaces on his property. Building Inspector Schneider reported that Mr. Varlas filed a petition with the Zoning Appeals Board requesting to remove the restriction of 10 camping spaces on each side to allow 13 spaces on each side.
- * Asked if officers were patrolling for speeders on Washington Avenue between 1st & 2nd Street. Acting Chief Whipkey reported he passed the information on to officers.
- * Reported illegal vehicle on Annadale Avenue, owner is staying in area.
- * Reported a sidewalk tore up and blocked by some equipment at 1508 Fifth Street.
- * **Remke** - Would like to see trees trimmed in town. Manager Hendershot advised that city ordinance does limit the height of a tree only the height above the sidewalk and above the street.
- * **DeWitt** - Reported the rebar holding the treated logs used to outline the playground are sticking up and need pounded back down at the Riverfront Park.
- * Can not stress enough how important it is to have the boat docks cleaned of debris.

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

Meeting adjourned at 8:40 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor