

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
FEBRUARY 7, 2012**

The Council of the City of Moundsville met in regular session in the Council Chambers on February 7, 2012 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Councilperson Mark Simms.

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

MINUTES:

Regular Council Meeting of January 19, 2012.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of January 19, 2012, seconded by Councilperson DeWitt. Motion carried unanimously.

Special Council Meeting of January 3, 2012.

Councilperson Saunders made a motion to accept and approve the minutes of the special council meeting of January 3, 2012, seconded by Councilperson Haynes. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* David Bledsoe, 662 Cherokee Lane, Moundsville, owner of property 1007 Thompson Avenue, asked council to reverse the January 26th decision of the Moundsville Planning Commission on his request for a zone change at 1007 Thompson Avenue from Industrial (I) to Combined Central Business and Highway Commercial and Integrated Commercial Centers District (CCCH). Mr. Bledsoe said that he does not understand why the Planning Commission disapproved his request when properties on three sides of his are CCCH zone.

Council directed Attorney White to research the question "Can council reverse a decision made by the Moundsville Planning Commission?"

Mr. Bledsoe was advised that Attorney White will inform council at the next regular council meeting.

* Carmina Oakland, 29 Fostoria Avenue, requested an exemption from paying the \$200 fee for the registration of vacant buildings after being unoccupied for 1 year. Mrs. Oakland said that she is the owner of 45 Fostoria Avenue and uses the house to store extra furniture. Also, her son has remodeled the entire house except for installing a sewer system, which the house never had.

Attorney White read a section of the Registration of Vacant & Uninhabited Buildings ordinance in the Municipal Code concerning exemptions. Mayor Wallace advised Mrs. Oakland that Building Inspector Schneider will stop by to inspect 45 Fostoria Avenue before council makes a decision.

* Richard King, representing Moundsville Activities Committee, asked permission to close Jefferson Avenue between Second Street & Fifth Street on April 7, 2012 from 10:00 a.m. to 4:00 p.m., for the Easter Spring Fling and Easter Egg Hunt. There will be an Easter Bonnet contest, parade and games held on Jefferson Avenue. The Sanford Center will be providing food and business owners are aware and on board with the event.

Councilperson DeWitt reminded fellow council members that requests for street closures are approved by the City Manager.

Mr. King updated council on the "Veterans Memorial Wall" that will be coming to Moundsville in August, 2012. Mr. King went on to say the Activities Committee requested to close Jefferson Avenue from Fifth Street to Tenth Street, but have since changed from Fifth Street to Eleventh Street. The committee would like to use the city parking lot behind the Strand Theater as a "Food Court" providing several different vendors and local restaurants, such as Alexanders on 7th, Youngs Cafeteria, and Undo's will be catering lunches at St. Francis Hall. They hope to close the city parking lot up to the driveway running along side of the city building. This will allow customers to continue business at the city building and employees to park. Councilperson Remke said employees could also use the old Elks lot. Councilperson Remke invited council members to the next meeting on Thursday, February 23, 2012, Prison Industries at 6:00 p.m.

OLD BUSINESS:

* Councilperson DeWitt asked the status on hiring a second building inspector. Interim City Manager Hess advised that she had interviewed three individuals who were no longer interested due to the salary. She will advertise again for that position.

* Councilperson DeWitt received several complaints concerning the mud on the walking trail every time it rains. Interim Manager Hess will check with Parks & Recreation Director Baker.

* Councilperson DeWitt reported while at the WV Municipal League Conference she attended a seminar on Sexual Harassment given by John J. Sorrenti of the WV State Auditor's Office. The meeting was very informative. Mr. Sorrenti travels around the state offering other seminars such as Roberts Rules of Order; Dealing with Difficult People; Working with the Media & Communications. Councilperson DeWitt presented information to council and Interim City

Manager Hess and suggested making arrangements for Mr. Sorrenti to visit Moundsville.

* Councilperson Wood asked if there was anything else going on at the Fostoria site at this time? Interim City Manager Hess advised there has not been anything going on at the site. But advised council that she will be meeting with Attorney White, Patrick Kirby, the DEP and Tom Brown.

* Councilperson Wood asked for an update on installation of the vents at the Moundsville Volunteer Fire Department's building. Manager Hess reported speaking with Mr. Varlas who advised they were waiting on the building inspector to perform the final inspection.

* Councilperson Wood reminded Interim Manager Hess that council has requested bi-annual reports from the Sanford Center.

* Councilperson Saunders asked if the city ever resolved the water problem on Spruce Street that Mr. Yanen approached council about at a previous council meeting. Street Commissioner Richmond advised that he and Sanitary Superintendent Larry Bonar will be studying the area in hopes of installing a sewer under the street.

* Councilperson Saunders complained of having very low water pressure in the area of Sugar, Harmony and Spruce Streets.

* Councilperson Saunders asked if anything was ever done with the Highland Avenue house? Street Commissioner Richmond reported that problem was turned over to Sanitary Superintendent Larry Bonar.

* Councilperson Remke asked what can be done about the buildings with boarded windows or windows falling out? Windows above Ken Blake Photography are broken and falling out; windows at 301 Jefferson Avenue, above Dr. Gresak's Office are falling out and the large window at Cottage Corner, 273 Jefferson Avenue, has been boarded up for a very long time. Councilperson Remke would like to revise the city code to enforce building owners to replace windows with glass. Building Inspector Schneider advised the owners of the building the windows must be replaced.

* Councilperson Remke commented about how disgraceful the paving job on Jefferson Avenue is and also reported the curbs have fallen due to the shoddy work performed by the contractor. Street Commissioner Richmond reported contacting WV DOH and was advised to forward them pictures of the damage and problems. WV DOH will then make sure the contractor repairs or corrects the problems.

* Councilperson Remke requested a list of businesses that are no longer operating. Interim City Manager Hess will provide the list.

* Councilperson Remke asked CPA Kathryn Goddard how the budget was coming along. Ms Goddard advised she is waiting on the levy estimate from the Marshall County Assessor's Office.

* Councilperson Remke asked when the city's audit will begin? CPA Goddard advised she was compiling items for the auditor, deadline for completion is May 2012.

* Councilperson Remke asked if Interim Manager Hess has spoken to the representative for E-government? Manager Hess advised the project has been put on hold.

* Councilperson Remke asked if the trailer/campers at the Fairgrounds are meeting the city codes? Building Inspector Schneider advised there are some issues, but they are being addressed.

* Councilperson Remke provide Interim City Manager Hess with the names of the owner of 401 Jefferson Avenue. Councilperson Saunders asked why did Councilperson Remke find the owner and the city was unable to? Interim City Manager Hess advised that she has all the information on the owners of 401 Jefferson Avenue and is in the process of contacting them.

* Councilperson Saunders asked for an update on 329½ Thorn Avenue. Building Inspector Schneider advised that Ms. Darrah is making progress on the property.

NEW BUSINESS:

Consideration for the Employment of a City Manager.

Councilperson Wood made a motion to offer Interim City Manager Deanna Hess to the position of Moundsville City Manager, seconded by Councilperson Haynes.

Councilperson Remke suggested having an interview with Mrs. Hess following the council meeting. Councilperson Remke was advised by the Mayor that this items is on the agenda to be voted upon tonight.

After some discussion, Mayor Wallace called for a voice vote on the motion. City Clerk announced the following tally. Mayor Wallace, DeWitt, Haynes, Saunders, Simms and Wood voting yea. Remke voting nay. 6 yeas, 1 nay. Motion carried.

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. (Strand Theatre - Improvements \$10,500)

Councilperson DeWitt made a motion to authorize the City Manager to execute the application of a grant for improvements to the Strand Theatre in the amount of \$10,500, seconded by Councilperson Remke. Motion carried unanimously.

**Discussion and Approval of an Ordinance to Adopt the Revised Employees Policy Manual.
(First Reading)**

Attorney White asked for council to table this ordinance until next regular council meeting.

Councilperson Simms made a motion to table the employee policy manual, seconded by Councilperson Saunders. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Simms recommends sending the discussion of an ambulance service in the City of Moundsville to the Finance Committee for further discussion.

* Councilperson Wood asked CPA Kathryn Goddard the time line for presenting the budget and budget message to council.

* Councilperson Remke asked for the sign ordinance, tree ordinance, the revised dog ordinance and the vacant building registration be placed on the Policy Committee agenda.

* Councilperson Remke reported a flowering tree hanging over the street at the 1500 block of Seventh Street.

* Councilperson Saunders said he does not want any fees raised on the citizens.

* Councilperson Saunders asked for a break down of salaries of the employees.

* Councilperson Remke asked what the city's tax base is compared to other cities with the same population?

* Councilperson DeWitt asked Street Commissioner Richmond, since having a mild winter, has the city has saved money on salt & cinders? Commissioner Richmond advised that he has only used approximately 25% of the salt & cinders.

* Councilperson Saunders asked if everyone with vacant buildings responded to the letters? Building Inspector Schneider advised that most people have responded to the letters and paying the \$200 for the first year of vacancy.

MANAGER ITEMS:

Update on the Sanitary Plant Digester Lid.

City Manager Hess provided council members with an update on the Sanitary Plant digester lid provided by Superintendent Larry Bonar.

Moundsville Building Commission Vacancy.

City Manager Hess advised council that Moundsville Building Commission member Robert Wolfe does not wish to serve another term. She will be advertising in local news paper for the vacancy.

Newly Hired City Employees Announced.

Manager Hess reported to council that Scott Merritt has been hired in the Street Department and Brendon Ross and Benjamin Davis have been interviewed for Patrol Officer positions.

Replacement of Pole Near City Parking Lot.

City Manager Hess reported that Earl Collins has replaced the pole along the City Parking lot entrance next to Allen's Bootery and installed two new lights.

Moundsville Planning Commission Re-Appointment.

Manager Hess announced that she received a letter from William D. McConnell informing her that he was interested in serving another term on the Moundsville Planning Commission. City Manager Hess also advised the commission still has three vacancies.

Gas Drilling to Boost Property Values.

Councilperson Simms asked if the property values would increase in the City of Moundsville due to gas drilling? Manager Hess stated since gas drilling is going on outside city limits, increases to property values will only effect those outside the city limits. The levy is estimated on property inside the city.

Valley Fork Girls Softball Field Parking Lot.

Manager Hess advised that Price Gregory International Inc., will leaving the parking lot April 1, 2012. They must repair any damage they have caused to the lot.

MAYOR ITEMS:

* Mayor Wallace congratulated Deanna Hess on her appointment as City Manager.

* Mayor Wallace asked why the dirt piles are in the Fairgrounds where the old sale barn was located. Building Inspector Schneider reported the Fair Board had a fill study done on the dirt.

* Mayor Wallace asked to be updated on the Fostoria after the meeting with Patrick Kirby, the DEP and Tom Brown. Manager Hess advised she will have information for council.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee.

Councilperson Saunders scheduled a finance meeting on February 14, 2012 at 5:00 p.m.

Discussion of Recommendations by the Traffic Committee.

Councilperson Simms scheduled a traffic meeting following the finance meeting.

Discussion of Recommendations by the Policy Committee.

Councilperson Wood scheduled a policy meeting following the traffic meeting.

COUNCIL ITEMS:

- * **Simms** - Commented that he is in favor of the Ambulance Service provided by the City of Moundsville but not in favor of paying a company to send billing. He feels that billing should be provided by the city.
- * **Wood** - Congratulated Deanna Hess on her appointment as City Manager.
- * Asked Manager Hess to make sure the other applicants are informed of the appointment.
- * Informed council that WVU Professor Margaret Stout and Students will be in Moundsville providing the “leg work” for the Comprehensive Plan. Meeting will be held on Friday, February 24, 2012 at the Prison Industries starting at 5:30 p.m.
- * **Remke** - Congratulated Deanna Hess on her appointment as City Manager.
- * Wished to thank the Street Department for repainting the garbage cans and benches on Jefferson Avenue.
- * Asked if the Police Department was going to remove the “Knights of Pythias” sign above the door way? Councilperson DeWitt advised that members still meet at the building and leaving the names was an agreement by the members and the police department.
- * Commented that extending the yellow line on the curb at Fifth Street & Jefferson Avenue has allowed a better view for oncoming traffic. And would like to see the line extended in from of Ruttenburg’s.
- * **Haynes** - Congratulated Deanna Hess on her appointment as City Manager.

* **Saunders** - Congratulated Deanna Hess on her appointment as City Manager.

* Announced the Parks & Recreation Board are sponsoring a Father/Daughter Dance on Saturday, February 11, 2012 at the Sanford Center from 6:30 p.m. to 9:30 p.m.

* Reminded council that applications are available for the Citizens Police Academy. Deadline for the Citizen Police Academy is February 10, 2012.

* **DeWitt** - Congratulations to Deanna Hess on her appointment as City Manager.

* Commended the Street Department for repainting the garbage cans & benches on Jefferson Avenue and asked if the cans & benches on Seventh Street were also going to be painted.

* Asked if anything could be done when a dead tree is hanging on somebody else's property? Attorney White advised that would be a civil matter.

* Asked when the Police Department is awarded "Drug Seizure Money" is that money strictly used for Police Department items? Chief Mitchell advised there are some stipulations.

* City Manager Hess reported speaking to the board members at the Greenlawn/Mt. Rose Cemetery who advised they are not exactly sure of who owns the property, whether it is Greenlawn or Mt. Rose. And suggested that Moundsville should find out who is the owner before cutting the dead tree that Mrs. Linda Markey of 21 Fostoria Avenue was inquiring about.

Attorney White was asked to research the property lines and report back to council.

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

Meeting adjourned at approximately 9:07 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor