

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE, JUNE**
2 **1, 2010**
3

4 The Council of the City of Moundsville met in regular session in the Council Chambers on June 1,
5 2010 at 7:00 pm.
6

7 Meeting was called to order by Mayor David Wood.
8

9 Invocation was given by City Manager Allen Hendershot.
10

11 Acting City Clerk Ankrom called the roll and the following councilpersons were in attendance:
12 Haynes, Saunders, Wallace, Young and Mayor Wood. Absent were Councilpersons DeWitt, due to
13 recent surgery, and Simms. Also present: City Manager Hendershot, Police Chief Kudlak, Fire Chief
14 Clarke, Public Works Foreman Stocklask, Building Inspector Mercer, CPA Kathryn Goddard, Attorney
15 Thomas White and Acting Clerk Ankrom. Absent was Public Works Director Richmond and City
16 Clerk Hewitt due to vacations.
17

18 **MINUTES:**
19

20 **Regular Council Meeting of May 18, 2010**
21

22 Councilperson Saunders made a motion to accept the minutes of the regular Council meeting of May
23 18, seconded by Councilperson Haynes. Motion carried unanimously.
24

25 **GENERAL PUBLIC HEARING:**
26

27 George Kachalo, 31 Fostoria Avenue, again presented complaints directed toward a neighbor who
28 continues to harass him.
29

30 Brad Varlas, 1107 12th Street, thanked Council for improving the 12th Street sidewalk and encouraged
31 them to seek grant funding to finish repairing cracked and/or uneven portions and removing steps. He
32 also stated that he and Trevor Goode were available to answer any questions relating to the contract
33 renewal with the Moundsville Volunteer Fire Department.
34

35 Mayor Wood noted that Brian Schambach had to cancel his appearance at this evening's Council
36 meeting.
37

38 **OLD BUSINESS:**
39

40 **Discussion and Approval of Recommended Changes to the Moundsville Sanitary Board Tariff**
41

42 Manager Hendershot noted that no Council action is required; this is just an update on the Public
43 Service Commission's recommendation to dismiss the Sanitary Board's Rule 42. The Board, through
44 attorney Jim Kelsh, filed a petition addressing the PSC's recommendation, and the "Show Cause"
45 Petition, which has since been dismissed. The Tariff itself is now pending a PSC response. Manager
46 Hendershot reminded that the second rate increase will not go into effect until the construction phase is
47 complete, which is at least 18 months away. Mayor Wood took offense to the PSC's accusation that the
48 Board's practices were "...unjust, unreasonable, unjustly discriminatory and otherwise in violation..."

1 Manager Hendershot noted that the PSC is simply becoming more strict in following the regulations
2 that have always been in place.

3 4 **Receive and File Amendments to the 2010-2011 Water Board Budget**

5
6 Manager Hendershot noted that the Water Board made minor adjustments in order to have a
7 "Proforma" conducted so that they meet the Public Service Commission's requirements to set figures
8 for another rate increase. Councilperson Wallace made the motion to receive and file the 2010-2011
9 Water Board Budget, Councilperson Haynes seconded; and the motion carried unanimously.

10 11 **Other Items to be Discussed by Council**

12
13 Councilperson Saunders questioned the delay in installing a street light on Curtis Avenue. Manager
14 Hendershot stated that the order has been placed with American Electric Power; but he will check to
15 see if they have a projected date of installation.

16
17 Councilperson Saunders asked about the status of the burned house on Curtis Avenue. Building
18 Inspector Mercer is not familiar with the issue at this time.

19
20 Manager Hendershot explained that the contractual agreement has been entered into with Thrasher
21 Engineering for work at the Fostoria property. The Department of Environmental Protection has the
22 work plans; and contaminated debris removal has begun. The first level of the roof has been removed
23 from the Administration Building; and demolition will more noticeable as clean up continues. Council
24 again expressed a desire for regular updates.

25
26 Councilperson Haynes questioned working status of the street sweepers. Foreman Stocklask noted that
27 the Street Department has been short-handed lately; and the air sweeper is in Pittsburgh being repaired.
28 Bids for a new sweeper should be received by the next meeting. Manager Hendershot suggested not
29 investing any more money in repairs to the old sweeper.

30
31 Councilperson Young asked about new information on the Police and Fire Pension funds. Manager
32 Hendershot noted that the actuary is still working on the study of the funds, which should be available
33 this month. He explained that the City has stopped making contributions to both funds due to
34 assurance from Hallett Associates and the State actuary that enough funds have been invested to meet
35 this fiscal year's obligation.

36 37 **NEW BUSINESS:**

38 39 **Discussion and Approval of a Resolution to Renew the Contract with the Moundville Volunteer** 40 **Fire Department**

41
42 Mayor Wood noted that the three-year contract will cost about \$74,000.00 per year, which was already
43 approved during the budget process. Councilperson Wallace made the motion to approve the
44 resolution to renew the VFD contract. Motion was seconded by Councilperson Haynes. Mayor Wood
45 called for a roll call vote, and Acting Clerk Ankrom announced the following tally: 5 yeas. Motion
46 carried unanimously.

47 **Discussion and Approval of a Bus Levy Ordinance for the City of Moundville (First Reading)**

48

1 Attorney White read the ordinance by title only:

2
3 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE PROVIDING FOR**
4 **A SPECIAL LEVY VOTE BY SEPARATE BALLOT AT THE REGULAR ELECTION OF**
5 **NOVEMBER 2, 2010, TO AUTHORIZE ADDITIONAL TAX LEVIES FOR THE FISCAL**
6 **YEARS BEGINNING JULY 1, 2011, JULY 1, 2012, AND JULY 1, 2013, TO PROVIDE FUNDS**
7 **FOR THE CITY'S SHARE OF FUNDING FOR ANY DEFICIT OF OPERATING COSTS AND**
8 **THE COSTS OF ACQUIRING CAPITAL EQUIPMENT AND FACILITIES FOR THE SAME**
9 **PERIOD FOR A SYSTEM OF URBAN MASS TRANSIT TO BE PROVIDED BY THE OHIO**
10 **VALLEY REGIONAL MASS TRANSPORTATION AUTHORITY (FIRST READING)**
11

12 Councilperson Saunders made the motion to approve the ordinance on first reading, seconded by
13 Councilperson Young. Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced
14 the following tally: 5 yeas. Motion carried unanimously.
15

16 **Discussion and Approval of a Budget Revision #3 for the 2009-2010 the General Fund**

17

18 CPA Goddard noted that a decrease in the Building Inspection Department Budget, due to turnover,
19 and some reclassifications were made. Councilperson Wallace made the motion to approve budget
20 revision #3, for discussion; Councilperson Saunders seconded. CPA Goddard explained the difference
21 between the Street & Highways, which covers miscellaneous supplies; and Street Construction which
22 consists of paving costs. Corrections were also made in the Recreation budget. Adjustments were
23 made after the May financials were verified and corrected. Manager Hendershot estimated that
24 \$200,000.00 should be available for late summer paving. Mayor Wood called for a roll call vote, and
25 Acting Clerk Ankrom announced the following tally: 5 yeas. Motion carried unanimously.
26

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

28

29 Discussion was raised about having the financial reports available in advance of meeting nights so that
30 members can review. Manager Hendershot and CPA Goddard explained that the scheduling of the
31 Finance meeting plays a large part in having the reports prepared, especially when they fall early in the
32 month.
33

34 **MANAGER ITEMS:**

- 35 • Manager Hendershot is still working with BelOMar on the energy efficiency grant to provide new
36 windows, heating & air conditioning system, and high-efficiency lighting for the City building.
37 Chief Kudlak helped prepare photos for the State Historic Preservation Office.
38
- 39 • Manager Hendershot attended the AWWA/WEA conference last week and obtained a lot of helpful
40 information.
41
- 42 • Manager Hendershot has received an offer from Chesapeake Appalachia LLC pertaining to their
43 interest in drilling for gas under the Valley Fork Park facilities. Chesapeake is offering just under
44 \$2,800.00 per acre for 53 acres and 18% royalties for five years from any gas obtained. Attorney
45 White is reviewing the lease. Manager Hendershot has emphasized to Chesapeake the City's desire
46 to not hinder citizen activities at the parks; and with today's capabilities, Chesapeake can drill from
47 up to a mile away from the site. Attorney White explained that it may be possible to negotiate how
48 far away the wells should be; however, this could affect the royalty percentage. Negotiations will

1 continue, but the City's main concern will always be preservation of the parks.

- 2
- 3 • Manager Hendershot reminded Council that the Jefferson Avenue Car Show is June 4. He
- 4 commended Jim Pettit for being the “driving force” behind continuing the show every year.
- 5
- 6 • Manager Hendershot introduced the new Building Inspector, Brandon Mercer.
- 7

8 **MAYOR ITEMS:**

- 9 • Mayor Wood expressed, on behalf of Councilperson DeWitt, a desire to have City-maintained
- 10 property put on a regular cutting schedule during the summer. Residents in the affected areas
- 11 would then be at ease, knowing that unkempt property would be addressed in a more timely
- 12 manner. Two areas of concern at present are 1121 8th Street, at the corner of Grant Avenue, and 1st
- 13 Street, across from Smith Mart, where a house was demolished.
- 14
- 15 • Mayor Wood asked about the Sanford Center. Manager Hendershot informed that several renters
- 16 are occupying; paint work is continuing, and the roof has been repaired.
- 17
- 18 • Mayor Wood broached conversation about the Knights of Pythias building, to which Chief Kudlak
- 19 has obtained keys and is analyzing the usefulness of the building. The Police Department is also
- 20 still interested in using the former State Police Barracks. Manager Hendershot wants to give
- 21 serious consideration to which building would be the best investment of any surplus funds
- 22 remaining at the end of the fiscal year.
- 23
- 24 • Mayor Wood asked Chief Kudlak about the recent training he attended in New Mexico. Chief
- 25 Kudlak noted that the training was about incident response to suicide bombers and was very intense
- 26 and beneficial. All expenses were covered by the federal government.
- 27
- 28 • Mayor Wood questioned Chief Clarke about the mine subsidence issue on 2nd Street. Chief Clarke
- 29 has been unable to obtain any recent information.
- 30
- 31 • Mayor Wood thanked Councilperson Saunders about organizing the coal mine tour, which was very
- 32 impressive.
- 33

34 **COMMITTEE REPORTS:**

35 **Discussion and Approval of Recommendations by the Finance Committee**

36 Vice Mayor Wallace called a Finance Committee meeting for June 8, 2010 at 5:00 PM.

37 **Discussion and Approval of Recommendations by the Traffic Committee**

38 Councilperson Saunders called a Traffic Committee meeting immediately following Finance.

39 **Discussion and Approval of Recommendations by the Policy Committee**

40 A Policy Committee meeting will immediately follow the Traffic Committee meeting.

41 **COUNCIL ITEMS:**

1 ***Young** – Has received complaints about the debris piled along the walking trail at Valley Fork Park.
2 Chief Clarke confirmed that a burn permit was issued, and the recent burn ban has been lifted.

3
4 * Raised discussion about re-posting the mileage markers along the trail. The Sign Shop could make
5 new signs, to which Foreman Stocklask recommended painting the markers on the trail itself.

6
7 * **Wallace** – Nothing at this time.

8
9 * **Haynes** – Mentioned to Foreman Stocklask that there is a pothole in the alley behind the Volunteer
10 Fire Department.

11
12 * **Saunders** – Noted that there is an odor emitting from the high grass at 8th Street and Grant Avenue.

13
14 * Asked how many tenants currently occupy rooms at the Sanford Center, and if any are youth groups.
15 Manager Hendershot noted that three groups currently occupy four units, but none are youth-oriented
16 organizations. The Sanford Board will be removing carpet that got wet from the roof leakage.

17
18 * Thanked whoever cut the grass at 3rd and Penn Streets.

19
20 * Noted to Foreman Stocklask that there are a few potholes in his neighborhood.

21
22 * Agreed that the Annadale Avenue property is being taken care.

23
24 Councilperson Wallace made a motion to enter into Executive Session for personnel matters, seconded
25 by Councilperson Saunders.

26
27 Regular Session ended at 7:48 pm for a two minute recess.

28
29 Executive Session began at 7:50 pm.

30
31 Executive Session adjourned at 8:13 pm.

32
33 Councilperson Wallace made the motion to receive and file a legal ad for a zoning petition for Thomas
34 Schorr at 2605 2nd Street. Councilperson Haynes seconded the motion, which carried unanimously.

35
36 Councilperson Saunders made the motion to adjourn, seconded by Councilperson Wallace. Meeting
37 adjourned at 8:15 PM.

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Karen L. Ankrom, Acting City Clerk

David Wood, Mayor