

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JUNE 4, 2003**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on June 4, 2003 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Councilperson K. Mark Simms.

City Clerk called the roll and the following council persons were in attendance: DiRemigio, Haynes, Simms, Varlas, Ward and Wallace. Absent: Lemasters. Also present: City Manager Hendershot, City Attorney Tom White, Police Chief Kudlak, Fire Chief Clarke, Street Foreman Chuck Richmond, Building Inspector Wise, CPA Tom Dobbs and City Clerk Hewitt. Absent: Street Commissioner Richmond.

MINUTES:

Regular Council Meeting of May 20, 2003.

Councilperson Haynes made a correction on page 2 line 34 should read, "Councilperson DiRemigio made the motion, not Varlas."

Councilperson Simms made a motion to accept and approve the minutes of the Regular Council Meeting of May 20, 2003 as amended, seconded by Councilperson Haynes. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Sarah Sullivan, 416 Clinton Avenue, presented a petition to council asking to pave Clinton Avenue. Ms. Sullivan stated that speeding vehicles throw gravel onto residents cars and houses causing damage.

Councilperson Varlas made a motion to receive and file the petition, seconded by Councilperson Simms. Motion carried unanimously.

City Manager Hendershot announced that the city has cleaned the street and this is a problem that we are aware of that is occurring on numerous streets in the city. The City Engineer has given an estimate to repair Clinton Avenue at a cost of approximately \$33,000.

Mayor Wallace stated that the City Manager and City Council has been aware of the problem on Clinton Avenue and it was discussed at the last council meeting. Council is doing the best they can to

repair and pave the streets.

Councilperson Haynes commended 10 year old Sarah Sullivan for presenting the petition and speaking in front of council.

After some discussion, Councilperson Simms made a motion to engineer Thorn Avenue, then place both Clinton Avenue & Thorn Avenue out for bid and make the decision to pave them if the funds are there, seconded by Councilperson Varlas for further discussion.

City Manager Hendershot suggested sending this matter back to the Traffic Committee and place Clinton Avenue on the priority list.

Councilperson Simms amended his motion to instruct the City Manager to have Thorn Avenue and Clinton Avenue engineered, and discuss the paving situation at the Traffic Meeting, seconded by Councilperson Varlas. Motion carried unanimously.

* Betty Burkett, 1500 Sixth Street, noted that the City of Moundsville charges a fee for dog license over and above the \$3 that the WV State Code requires. Mrs. Burkett has requested that the money be designated to a special account to be used to aid in spaying and neutering of dogs and cats of citizens that would qualify as low income. She also suggested that the Animal Advisory Task Force be responsible for organizing this program and presented to council for approval or disapproval.

After some discussion, Councilperson DiRemigio made a motion to authorize the Animal Advisory Task Force to organize a program and present a recommendation to council for further review, seconded by Councilperson Varlas. Motion carried unanimously.

NEW BUSINESS:

Discussion and Approval of an Ordinance Concerning Humane Treatment & Restraint of Animals. (First Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING AND REENACTING SECTIONS 505.02 AND 505.03 OF THE CITY CODE OF THE CITY OF MOUNDSVILLE, RELATING TO HUMANE TREATMENT OF ANIMALS AND RESTRAINT OF DOGS AND CATS IN THE CITY OF MOUNDSVILLE. (FIRST READING)

Councilperson DiRemigio made a motion to accept and approve the above ordinance, seconded by Councilperson Simms for discussion.

Mayor Wallace asked Betty Burkett of the Animal Advisory Task Force to speak on the ordinance.

Mrs. Burkett stated that this ordinance adds to the original animal ordinance and mainly protects animals that are being kept outside. This ordinance also pertains to cats that are running the neighborhood.

Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 6 yeas. Motion carried.

Discussion and Approval of an Ordinance Pertaining to the Sanitary Board. (First Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING AND REENACTING SECTION 143.04(a) OF THE CITY CODE OF THE CITY OF MOUNDSVILLE, RELATING TO COMPENSATION PAID UNTO MEMBERS OF THE SANITARY BOARD. (FIRST READING)

Councilperson Varlas made a motion to accept and approve the Sanitary Ordinance, seconded by Councilperson Haynes for discussion.

After a brief discussion, Councilperson DiRemigio made a motion to table this matter until more details are provided, seconded by Mayor Wallace.

Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 5 yeas, 1 abstain. Simms abstaining. Motion carried.

Other Items to be Discussed by Council.

Councilperson Simms announced that Moundsville has 5,824 registered voters. With only 694 citizens voting it was an 11% turn out. The cost of each vote was approximately \$14. Simms discussed the possibility of combining the city election with the county elections.

After further discussion, Councilperson Simms made a motion to instruct the City Attorney to draft an ordinance to change the charter concerning municipal elections, seconded by Councilperson DiRemigio. Motion carried unanimously.

OLD BUSINESS:

Moundsville Jr High Resource Officer.

Councilperson Varlas asked Police Chief Kudlak for an update on the Resource Officer for the Moundsville Jr. High School.

Chief Kudlak advised that the city has applied to the state for a grant on the 75/25 match and spoke to the Marshall County School Board of Education asking them split the 25% match with the city. At this time, the School Board agreed to split the match in the amount of \$5700 each. This grant will be renewed every year. The Board of Education has agreed that the Resource Officer's hours will be somewhat flexible due to extra curricular activities.

Councilperson Varlas made a motion to authorize Chief Kudlak to continue with the Resource Officer Grant, seconded by Councilperson Varlas.

Councilperson Ward made a motion to table this matter until the Policy Committee can review it. Motion died for lack of a second.

Mayor Wallace announced that a motion and second are on the floor to proceed with Resource Officer Grant. Mayor Wallace called for a roll call vote. City Clerk announced the tally. 5 yeas, 1 nay. Ward voting nay. Motion carried.

Other Items to be Discussed by Council.

Councilperson Simms reported piles of debris (couches & furniture) on Pearl Street at 1500 Garfield. Councilperson DiRemigio advised that a dumpster will be at that site within the week.

MANAGER ITEMS:

Thank You from Elizabethtown.

Manager Hendershot received a thank you card from committee members of Elizabethtown Festival to City Council. The card noted that attendance showed eleven states and Canada.

City Paving.

Manager Hendershot announced that the first series of paving has been completed. The list of streets are as followed: Second Street (Tomlinson to Grant); Grant Avenue (Third to Seventh); Tenth Street (Washington to Grant); Hickory Avenue (First to List); Hickory Avenue (List to Arlington).

Correspondence Letter from Alan B. Mollohan.

City Manager Hendershot advised council that he received a correspondence letter from Alan B.

Mollahan regarding Interstate 68, NCLETTTC and local water and sewer projects. Council members were provided copies of the letter.

Speed Zone Studies on Arlington Avenue and Parriott Avenue.

Police Chief Kudlak provided council with copies of the speed zone studies that were conducted on Arlington Avenue between Walnut Avenue and Elm Avenue and Parriott Avenue near Eighth Street intersection.

Commercial Insurance to Meet with Finance Committee.

Manager Hendershot advised that Commercial Insurance would like to meet with the Finance Committee.

Other Items to be Discussed by the City Manager.

Councilperson Varlas announced while he was the council representative at the MEDC meetings it was discussed that Moundsville should have representatives at the Mock Riot and training sessions to obtain names of vendors who may be interested in locating in Moundsville.

Election Canvass.

Manager Hendershot announced that council members need to be present at the Canvass on June 9, 2003 at 11:00 p.m. to be held in the County Commission Room at the Marshall County Court House.

MAYOR ITEMS:

* Mayor Wallace thanked the 694 citizen who voted in June 3, 2003 and shamed the citizens who didn't vote.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Finance Committee Meeting on Thursday, June 12, 2003 at 5:00 p.m.

Discussion and Approval of Recommendations by the Traffic Committee.

Nothing at this time.

Discussion and Approval of Recommendations by the Policy Committee.

Nothing at this time.

COUNCIL ITEMS:

* **DiRemigio** - Thanked the citizens that voted in the 2003 Municipal Election. Best of luck to the Councilperson Haynes and Councilperson Varlas.

Mayor Wallace asked for a few minutes, thanking 10 year old Sarah Sullivan for her presentation.

* **Haynes** - Announced that he has enjoyed serving on council and has appreciated the help from fellow council members and employees of the City of Moundsville. He hopes that Moundsville continues to move forward.

* **Simms** - Asked if City Manager Hendershot could make some contacts to help fill the vacant Ames building. City Manager Hendershot advised that some remodeling and sub dividing is being done.

* Expressed his thanks to Councilperson Haynes and Councilperson Varlas for their friendship and support while on council. Congratulations to Councilperson DiRemigio on his victory.

* Commended Sarah Sullivan on her presentation to council.

* **Varlas** - Also commended Sarah Sullivan for her presentation.

* Wished to thank the citizens who voted for him four years ago and everyone that has worked with him in those four years.

* Congratulations to David Oiler and Shelly Trussell on their victories.

* Also wished to thank everyone who campaigned against him but hopes they realize that in the future, increases will have to be made.

* **Ward** - Expressed his thanks to Councilperson Haynes and Councilperson Varlas for their years on council.

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

Meeting adjourned at 8:16 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor