

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JUNE 17, 2003**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on June 17, 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, Lemasters, Simms, Varlas, Ward and Wallace. Absent: Haynes. Also present: City Manager Hendershot, City Attorney White, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Vickers, CPA Tom Dobbs and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of June 4, 2003.

Councilperson Varlas made a correction on page 4, line 12 should read, "seconded by Councilperson DiRemigio, not Varlas."

Councilperson Varlas made a motion to accept and approve the minutes of the regular council meeting as amended, seconded by Councilperson Simms. Motion carried unanimously.

Special Council Meeting of the Canvass of June 9, 2003.

Councilperson Varlas made a motion to accept and approve the minutes of the special council meeting of June 9, 2003, seconded by Councilperson DiRemigio. Motion carried unanimously.

RECOGNITION:

Mayor Wallace recognized and made welcome the Boy Scout Troop #78 and leader Ed Loy of the United Methodist Church.

GENERAL PUBLIC HEARING:

* Jane Klug, 2015 Jackson Street, also member of the Parks & Recreation Board, asked council when the Building Commission is going proceed with the repairs to Four Seasons Pool?

City Manager Hendershot advised that the Building Commission has been established and has been

working to get the property transferred for the loan process. A resolution is on the agenda

authorizing the City Manager to enter into an agreement to transfer the pool property to the Building Commission.

* Dave Knuth, Marshall County Chamber of Commerce and Steve Avdakov, Architect for the Theater Restoration, updated council on the repair in the exterior and interior, electrical service, heating/air system and plumbing of the Strand Theater.

* James Kelsh, Attorney for the Water Board, spoke to council concerning the ordinance pertaining to water rates in the City of Moundsville.

* Jerry Drake, 500 Jefferson Avenue and owner of Varsity Pizzeria, spoke to council concerning the basketball courts cracking and the problems with the locked and damaged restrooms. Mr. Drake asked that the Parks and Recreation Board make the East End Park a priority.

OLD BUSINESS:

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

Attorney White read the following ordinance by title only to be passed by council on second 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 RESTRAINT OF DOGS AND CATS IN THE CITY OF MOUNDSVILLE. (SECOND READING)

Councilperson Varlas made a motion to accept and approve the animal ordinance, seconded by Councilperson DiRemigio.

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

NEW BUSINESS:

Discussion and Approval of an Ordinance Pertaining to the Moundsville Water 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, ESTABLISHING AND FIXING RATES, CHARGES, AND FEES FOR SERVICE TO CUSTOMERS OF THE WATER SYSTEM OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA. (FIRST READING)

Councilperson Varlas made a motion to accept and approve the water rate ordinance, seconded by Councilperson Lemasters.

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

Discussion and Approval of Payment to James V. Kelsh, Esq., in the Amount of \$1,518.85 for the New Moundsville Water Treatment Plant Project.

Councilperson Varlas made a motion to approve payment to James V. Kelsh in the amount of \$1,518.85, seconded by Councilperson Lemasters. Motion carried unanimously.

Discussion and Approval of a Resolution of the Council of the City of Moundsville, West Virginia, Authorizing the City Manager to Execute a Deed from the City of Moundsville to the Building Commission of the City of Moundsville for Property upon which Four Seasons Pool is Situated and Surrounding Areas.

Councilperson DiRemigio made a motion to authorize the City Manager to execute the deed from the City of Moundsville to the Building Commission, seconded by Councilperson Varlas. Motion carried unanimously.

Discussion and Approval of a Resolution for Budget Revisions of the 2002-2003 General Fund Budget.

Councilperson DiRemigio made a motion to approve the resolution for budget revisions of the 2002-2003 General Fund Budget, seconded by Councilperson Varlas. Motion carried unanimously.

Election of Mayor and Vice Mayor.

* Councilperson DiRemigio nominated Dennis Wallace for office of Mayor.

Councilperson Simms moved to close nominations, seconded by Councilperson Lemasters. Motion carried unanimously.

Councilperson DiRemigio moved to cast a unanimous ballot, seconded by Councilperson Simms. Motion carried.

* Mayor Wallace nominated Ralph DiRemigio for office of Vice Mayor.

Mayor Wallace moved to close nominations, seconded by Councilperson Simms. Motion carried unanimously.

Councilperson Simms moved to cast a unanimous ballot, seconded by Councilperson Ward. Motion carried.

Certification of the Results of the Canvass and Recount for the 2003 Municipal General Election.

Councilperson Varlas made a motion to certify the results of the Canvass and Recount of the 2003 Municipal General Election, seconded by Councilperson Ward. Motion carried unanimously.

Other Items to be Discussed by Council.

Councilperson Simms asked council members to recognize Jim Woods, Superintendent of the Moundsville Water Department and present him with a certificate of appreciation for his accomplishments toward the new Water Treatment Plant.

Mayor Wallace made a motion to present Jim Woods with a certificate of appreciation, seconded by Councilperson Lemasters. Motion carried unanimously.

MANAGER ITEMS:

Health Insurance Option.

City Manager Hendershot advised council that Health Insurance Option forms were given to all full time employees. Any employee electing to choose the option must have an insurance from a separate source.

Municipal Fee and Public Safety Appeals Board Vacancy.

The vacancy on the Appeals Board has been advertised with no response.

Attorney White suggested that council abolish the Municipal Fee and Public Safety Appeals Board because it is no longer needed since all citizens must be billed for municipal fee and public safety, nobody is exempt from paying the fees.

After some discussion, Councilperson Varlas made a motion to draft an ordinance to abolish the Municipal Fee and Public Safety Fee Appeals Board, seconded by Councilperson Simms. Motion carried unanimously.

Fourth of July Celebration.

Manager Hendershot announced that the licenses have been sent to the state for approval for the fireworks. The fire parade line up is at 5:30 p.m. parade starting at 6:30 p.m. Pop and hotdogs will be ready at 6:00 p.m. The Mound City Band will be playing patriotic songs that evening beginning at 8:00 p.m. And fireworks will start at dark.

Other Items to be Discussed by City Manager.

Manager Hendershot advised that he will be on vacation from June 21 until July 7, 2003. Deanna J. Hess will be Acting City Manager.

MAYOR ITEMS:

* Mayor Wallace thanked council members for appointing him as Mayor. He has enjoyed serving the citizens of Moundsville and council.

* Mayor Wallace again wished to thank the Boy Scouts for attending the council meeting.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

1. Reviewed Financials with CPA Tom Dobbs.
2. The Finance Committee made recommendation to provide employees with the same health insurance coverage. (A 26.77% increase)

Councilperson Simms made a motion for the City of Moundsville to provide employees with the same health insurance coverage as last year, seconded by Councilperson DiRemigio. Motion carried unanimously.

3. The Finance Committee made recommendation to authorize the City Manager to hire three part time employees in the Street Department.

Councilperson Simms made a motion to authorize Manager Hendershot to hire three part time employees in the Street Department, seconded by Councilperson Varlas. Motion carried unanimously.

* Some discussion was held on the possibility of obtaining summer workers through state or federal funded programs.

* Also, discussion was held on the thought of purchasing a new street sweeper. The city's sweeper is approximately 8 years old. Life span of street sweepers in perfect condition is 5 years.

* Manager Hendershot announced that a check was received from FEMA in the amount of \$14,000 for the winter storm clean up. Now that the paving has been completed, the city has submitted application to the state for that grant. The monies will go back into the Municipal Fee Fund.

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 council members having the confidence in Mayor Wallace and himself. Also thanked Mr. Haynes and Mr. Varlas for all the hard work and hours they put in while on council.

* **Lemasters** - Thanked Councilperson Haynes and Councilperson Varlas for the time they spent working together on council. Both men have help to move the city forward.

* Reported a drain problem at Sixth Street & Washington Avenue to Street Commissioner Richmond. The Commissioner advised that the drain is full of roots.

* **Simms** - Wished to thank Councilperson Haynes for his service to the city and Councilperson Varlas for his direct line to Charleston.

* **Varlas** - Requested an update on Clinton Avenue. Manager Hendershot advised Mr. Schellhase is working on the specs.

* The Moundsville Volunteer Fire Department is sponsoring the Fourth of July Parade. Line up will be at 5:30 to 6:30 p.m. at the Marshall County Fairgrounds. The Parade will leave the fairgrounds at 6:30 p.m.

* Hopes that in the future, council uses the Municipal Fee for streets and street maintenance only.

* Asked CPA Tom Dobbs for a financial update.

* Noted that it was a pleasure working with the council and wish them well in the up and coming year. Also, wished the two new council members luck.

* **Ward** - Will miss David Haynes and Brad Varlas on council.

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

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor