

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
OCTOBER 28, 2003**

The Council of the City of Moundsville met in Special Session in the Council Chambers on October 28, 2003 at 6:00 p.m.

The Special Meeting was called for the following purpose:

- 1) Consider and Engage in Mediation of a Complaint Against the City of Moundsville, Pending Before the Human Rights Commission.

Meeting was called to order by Mayor Dennis Wallace.

The following council members were in attendance: DiRemigio, Lemasters, Oiler, Trussell, Ward and Wallace. Absent: Simms. Also present: City Manager Hendershot, Attorney Tom White, Theresa Kirk-Representing the City of Moundsville, John Turak-Appointed Mediator for the Human Rights Commission, Robin Crum-Attorney for Complainant.

Consider and Engage in Mediation of a Complaint Against the City of Moundsville, Pending Before the Human Rights Commission.

Councilperson DiRemigio made a motion to go into an Executive Session for the exception under the Open Governmental Act on the basis that council will be discussing attorney/client relationship material and also considering personnel matters, seconded by Councilperson Lemasters. Motion carried unanimously.

The public was excused at 6:02 p.m.

Executive Session convened at 6:05 p.m.

Executive Session adjourned at 9:05 p.m.

Regular session reconvened at 9:05 p.m.

Councilperson Trussell made a motion to authorize Attorney Thomas White to enter into, on behalf of the City of Moundsville, an agreement to settle the case as provided in the written settlement, seconded by Councilperson Oiler.

Mayor Wallace called for a roll call vote. City Clerk announced the following tally. 4 yeas, 2 nays. DiRemigio and Wallace voting nay. Motion carried.

Mayor Wallace made a motion to receive and file the document presented to council by Attorney Thomas White, seconded by Councilperson Lemasters.

Mayor Wallace rescinded his first motion and made a motion to receive and file the finished copy of the document, seconded by Councilperson Ward. Motion carried unanimously.

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

Meeting adjourned at 9:07 p.m.

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor