

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
NOVEMBER 18, 2003**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on November 18, 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, Oiler, Simms, Trussell, Ward and Wallace. Also present: City Manager Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Vickers, CPA Tom Dobbs, and City Clerk Hewitt.

Public Hearing Concerning the Water Rates, Charges and Fees of the City of Moundsville Water System.

* Elva Anderson, 1414 Third Street, spoke to council opposing the water rate increase.

* George Lagos, Marshall County PSD #4, asked council what the resale rate would be for customers. CPA Tom Dobbs advised the rates on a 30 year plan will be \$3.25 and on the 39 & 40 year plan the rates will be \$3.29.

* Councilperson DiRemigio after a lengthy discussion asked council if the \$1.14 increase per average monthly billing is insignificant as compared to the \$4 million savings in interest for the shorter term loan, why not consider an \$.80 additional monthly payment to go for a 25 year loan and save an additional \$2 million in interest costs.

Mayor Wallace closed the public hearing on the rate increase at 8:15 p.m.

Regular Session began at 8:15 p.m.

MINUTES:

Regular Council Meeting of November 4, 2003.

Councilperson Trussell made a motion to accept and approve the minutes of the regular session of November 4, 2003, seconded by Councilperson Lemasters. Motion carried unanimously.

GENERAL PUBLIC HEARING:

*** Laurie Klimkowicy - First Energy - Presentation on Clean Air Technology Being Put in Place at the Burger Plant.**

Laurie Klimkowicy of the Burger Plant spoke to council concerning a project for multi pollution control technology and introduced Roger Greenway of RTP Environmental Consulting Firm. Mr. Greenway informed council that the Burger Plant is installing an innovative pollution control system to reduce the emissions from the smoke stacks. Under the Clean Air Act, plants are required to coordinate with communities that could be potentially effected if there were a release of ammonia at the plant. The amount of liquid ammonia that will be on site is approximately 30,000 gallons in individual storage tanks surrounded by a dike. The dike area has been sized to minimize the chance if any ammonia was to be released from the tank it would not impact any off site people. They are also monitoring in the vicinity of the tank so that if there were a small release from the tank ammonia detectors would indicate that at the control room and appropriate response could be initiated before any off site impacts would be possible. In case of ammonia release, there would be no need for evacuation. A public meeting will be held at the Shadyside High School Room 104 on December 3, 2003 at 7:00 p.m.

Councilperson DiRemigio asked Water Superintendent Jim Woods in the event of a leak, would Moundsville have to be concerned about our water wells? Mr. Woods advised that the tanks are located down stream from the wells and the ammonia would have to very strong to hurt the wells.

OLD BUSINESS:

Discussion and Approval of an Ordinance Concerning Rates, Charges and Fees of the City of Moundsville Water System. (30 Year Loan) (Second Reading)

City Manager Hendershot read the following ordinance by title only to be passed by council on second reading:

AN ORDINANCE OF THE CITY OF MOUNDSVILLE ESTABLISHING AND FIXING RATES, CHARGES AND FEES FOR SERVICE TO CUSTOMERS OF THE WATER SYSTEM OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA. (SECOND READING)

Councilperson Simms made a motion to accept and approve the water rate ordinance, seconded by Mayor Wallace.

Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 5 yeas, 2 nays. DiRemigio and Trussell voting nay. Motion carried.

Councilperson DiRemigio asked for a 5 minute recess.

Mayor Wallace called for a 5 minute recess at 8:29 p.m.

Mayor Wallace reconvened at 8:39 p.m.

NEW BUSINESS:

Discussion and Approval of Payment to Stegman and Schellhase in the Amount of \$252.00 for the New Moundsville Water Treatment Plant Project.

Councilperson Lemasters made a motion to approve payment to Stegman and Schellhase in the amount of \$252.00, seconded by Councilperson Oiler. Motion carried unanimously.

MANAGER ITEMS:

WV Worker's Compensation Town Meeting.

Manager Hendershot announced that the Worker's Compensation Commission is hosting a town meeting at Oglebay Park, Pine Room on November 20, 2003 at 10:00 a.m. Any council member interested in attended can inform City Manager Hendershot.

House Decorating Contest 2003.

City Manager Hendershot asked council members if they were interested in sponsoring the House Decorating Contest for 2003. Councilperson DiRemigio made a motion to sponsor the 2003 House Decorating Contest with prizes being \$100 for First Place; \$50 for Second Place; and \$25 for Third Place, seconded by Councilperson Trussell. Motion carried unanimously.

Miracle Valley Regional Library System.

The Miracle Valley Regional Library System would like to thank the City Manager and council for joining the flag and flag pole dedication and also honoring Evan Rogerson's contribution to the library system.

Bishop Donahue Sixth Annual Walkathon.

The Bishop Donahue High School Director of Advancement and Development sent a letter to thank the Moundsville City Manager and Council for the donation to the Annual Father Raymond Jablinske Memorial Walk-A-Thon.

Thank You Card from Young's Care Home.

A card was sent to the City Manager to thank the Police Department and VFD Search & Rescue for their efforts to locate a missing resident of Young's Care Home.

MAYOR ITEMS:

* Mayor Wallace commented on the City's beautiful Christmas light display throughout Moundsville. Thanked the Street Department and other city employees involved in erecting the lights.

Street Light Installed on Ash Avenue Between 8th & 9th Street.

Mayor Wallace informed council members that he and Councilperson DiRemigio were approached by a couple of citizens who paid for the installation of the street light on Ash Avenue. The citizen are now asking council to take over payment for the street light.

After a brief discussion, Mayor Wallace made a motion for the city to assume responsibility for the street light, seconded by Councilperson Oiler.

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

Other Items to be Discussed by the Mayor.

Mayor Wallace thanked Councilperson DiRemigio for his presentation and questions concerning the Water Rate Ordinance. But Mayor Wallace expressed that, in his opinion, it is time to make a decision and move forward with the new water treatment plant project.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Councilperson DiRemigio noted that CPA Tom Dobbs presented council members with year to date Financial Statements. After reading the figures, Councilperson DiRemigio asked Mr. Dobbs if the city has any outstanding accounts beyond 60 days. Mr. Dobbs advised there were none.

Discussion and Approval of Recommendations by the Traffic Committee.

Councilperson DiRemigio asked council members and Chief Kudlak if they looked at the situation on 1711 Fourth Street, request for a handicapped parking space to be located on Juniper Avenue? The request was not looked at, but council members and Chief Kudlak will do so for the next regular council meeting.

Other Items for the Traffic Committee.

Councilperson Trussell asked Chief Kudlak if he surveyed the intersection at First Street & Jefferson Avenue? Chief Kudlak advised the problem of backed up traffic comes from school being dismissed around 3:00 p.m. Chief Kudlak will look into adding more time on the turn lights.

COUNCIL ITEMS:

* **DiRemigio** - Asked council members when the new treatment plants starts construction that local tradesmen and local craftsmen be utilized on the project. City Manager Hendershot advised that he will send a letter to the Moundville Water Board.

* **Lemasters** - Wished to thank the Street Department and Water Department for their assistance on the Four Seasons Pool Renovation.

* Asked City Manager Hendershot to send a letter to Gold, Khoury & Turak congratulating them for 25 years in the City of Moundville. Manager Hendershot noted that Gold, Khoury & Turak have been involved in several programs throughout Moundville.

* Asked if trees were trimmed at the Riverfront Park near the playground. City Manager Hendershot advised that one tree was taken care of.

* Asked Chief Kudlak if anything can be done about the ATV's at the walking trail. Chief Kudlak advised that there has always been a problem with the ATV's because the police can not get to them.

City Manager Hendershot advised that council is going to have to address this ATV problem because of the new walking trail from Moundville to Glen Dale.

* **Oiler** - Nothing at this time.

* **Trussell** - Wished to thank the Sanitation Department for turning over garbage cans after dumping them so water will not fill up in them during hard rains.

* Announced that she has been elected chair of the Citizens Advisory Board for the Regional Facility and attended a graduation ceremony for the inmates that have finished educational programs. While attending the ceremony, the warden gave a tour of the printing facility and hoped that the City of Moundville would use the facility for printing items. City Manager Hendershot advised that the city does order printed items from the facility.

* **Ward** - Nothing at this time.

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

Meeting adjourned at 9:10 p.m.

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Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor