

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
DECEMBER 2, 2003**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on December 2, 2003 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Councilperson K. Mark Simms.

Acting 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, Recreation Director Tom Sutton, Building Inspector Vickers, Attorney Tom White, CPA Tom Dobbs, and Acting City Clerk Ankrom. Absent was City Clerk Hewitt (vacation).

**MINUTES:**

**Regular Council Meeting of November 18, 2003.**

Councilperson DiRemigio made a motion to accept and approve the minutes of the regular session of November 18, 2003, seconded by Councilperson Ward. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

**\* Attorney Rich Wilson representing Moundsville Volunteer Fire Department.**

Mr. Rich Wilson appeared in place of Brad Varlas, who could not attend due to a death in the family. Mr. Wilson expressed the Volunteer Fire Department's desire to continue the relationship with City "status quo;" there will be no increase in the budgetary request and services will continue as they are. He stated that a "formal proposal" is nearly ready for presentation; Mayor Wallace requested that it be made available as soon as possible for the upcoming budget meetings.

**OLD BUSINESS:**

**Letter from Rita Yeager of West Virginia Northern Community College.**

Councilperson Trussell stated that she received a letter from Rita Yeager informing that the projected date for an orientation is being moved back to January. WVNCC classes will begin in February.

**NEW BUSINESS:**

**Discussion and Approval of an Ordinance of the Council of the City of Moundsville Creating and Enacting Section 171.21 of the City Code to Provide for the City Clerk to Act as Substitute Municipal Police Court Judge for the City of Moundsville. (First Reading)**

Councilperson Simms made a motion to approve the ordinance, seconded by Councilperson Lemasters. City Manager Hendershot explained that, after an “in-house” review of the court system, a bookkeeping problem needed to be clarified. The City Clerk will not be sitting as Judge during regular City Court, she will simply accept pleas and fines. She has attended court training that will allow her to perform this function, and State Code allows this process. The City Attorney cannot preside as Judge since he does perform prosecutorial duties. A ballot vote was tabulated; 7 “yeas.” Motion carried unanimously.

**Four Seasons Pool Budget Overrun.**

Councilperson Lemasters asked for Council’s guidance in correcting a budget shortfall due to additional expenses incurred with Four Seasons Pool renovations; new carpeting will cost around \$2000, which will put the line over budget. City Manager Hendershot reported that, overall, the Recreation Dept will be over by about \$1000; additional monies received from Vandalia and the Roberts’ Trust have cushioned the spending. Councilperson DiRemigio motioned for the City to temporarily loan the Recreation Board \$2,500, seconded by Councilperson Simms. Attorney White does not see a problem with this loan, whether it is “forgiven” or not. Councilperson Trussell questioned where the funds would come from; City Manager Hendershot offered funding, earmarked for grant matches, that was set aside in the Investment Account, or Hotel/Motel Tax funds. A Roll Call vote was held:

DiRemigio	Yea	Lemasters	Abstained	Oiler	Yea	Trussell	Yea
Ward	Yea	Wallace	Yea	Simms	Yea		

Motion carried.

**Trading Holidays to Make the Friday After Thanksgiving an Official Annual Holiday.**

Councilperson Simms had approached the City Manager about trading the President’s Day holiday in February for the day after Thanksgiving, as other cities have done. There are questions about whether Civil Service Employees are required to have certain holidays. City Manager Hendershot has not reached the Chief in Wheeling as to their arrangements, and he will look at other options.

**MANAGER ITEMS:**

**Bert “Cork” Whorton Re-Appointed to Fire Civil Service Board.**

Manager Hendershot received a letter from the Firefighters Association confirming the re-appointment of Bert “Cork” Whorton to the Fire Civil Service Board.

**Thank You Letter for Pole Light on Ash Avenue.**

City Manager Hendershot received a letter thanking Mayor Wallace and Council members for getting a pole light installed on Ash Avenue.

**Dental Insurance Premium Renewal.**

City Manager Hendershot received from The Schwendeman Agency the 9.4% increase in dental premiums from MetLife, effective January 1, 2004. This increase is still lower than premiums that were being paid to the previous dental carrier at the time of contract termination.

**MAYOR ITEMS:**

\*Mayor Wallace commented that the outside of Four Seasons Pool looks very nice, and he is looking forward to viewing the inside renovations. He expressed congratulations and thanks to the Parks and Recreation Board and Councilperson Lemasters for their efforts. He encouraged Recreation Director Tom Sutton to continue upkeep on the facility.

**COMMITTEE REPORTS:**

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

Councilperson DiRemigio called a Finance Meeting for December 9 at 6:00 PM, with Traffic and Policy immediately following.

**Other Items for the Finance Committee.**

Councilperson Simms asked if Paving Lists could be turned in; City Manager Hendershot can also submit the list of streets that have been engineered but not paved yet. Councilperson Simms also requested that Street Commissioner Richmond submit a list of streets that he considers in need.

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

Councilperson DiRemigio reported that Chief Kudlak has looked into situation at 1711 Fourth Street, and everything is okay. He made a motion to approve the handicap parking spot at 1711 Fourth Street, seconded by Councilperson Lemasters. Motion carried unanimously.

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

Councilperson Simms has a Spay/Neuter Assistance Program that will be looked at during the next Policy Meeting.

**COUNCIL ITEMS:**

\* **DiRemigio** - Nothing at this time.

\* **Lemasters** - Expressed concern that Strong Appliance has a truck parked in the loading zone at Second Street and Jefferson Avenue all of the time.

\* Thought the Christmas Parade turned out very nice and was pleased with the turnout.

\* Expressed his desire to look at paving alleys in the City; the “chip and shoot” method doesn’t seem to be adequate for those frequently travelled. The Municipal Fee ordinance does allow for this, but Council’s stand, in the past, has been to focus on main streets first.

\* Thanked the Street Department for the fine job they do, particularly on the alleys, with the manpower problems they have had.

\* **Oiler** - Asked if Street Commissioner Richmond had checked on a lease program for an emulsion tank; Jim is waiting on a fax from a company that manufactures tanks. He feels that the blanketed tanks are not adequate for their purposes.

\* Mayor Wallace asked for a moment to point out that the walking trail is nearly completed. City Manager Hendershot explained that base paving has been done up to Triangle Conduit and walkers are already utilizing the trail. Paving extends to Tenth Street, and a “bike trail” path will be painted on the street to connect to the 13th Street Park.

\* **Simms** - Asked Attorney White if the Election Charter change will be available soon; Tom promised to have it ready for the next meeting. Mayor Wallace explained, for Councilpersons Trussell and Oiler, that it will save the City several thousand dollars in election costs and voter turnout will be better.

\* **Trussell** - Nothing at this time.

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

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

Meeting adjourned at 7:38 p.m.

1 Karen L. Ankrom, Acting City Clerk

Dennis Wallace, Mayor