

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **APRIL 20, 2004**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 April 20, 2004 at 7:00 p.m.

6
7 Meeting was called to order by Mayor Dennis Wallace.

8
9 Invocation by Councilperson K. Mark Simms.

10
11 City Clerk called the roll and the following council person were in attendance: DiRemigio,
12 Lemasters, Oiler, Simms, Ward and Wallace. Also present: City Manager Hendershot, Police
13 Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector Vickers,
14 Attorney Thomas White, CPA Tom Dobbs and City Clerk Hewitt. Absent: Councilperson
15 Trussell.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of April 6, 2004.**

20
21 Councilperson DiRemigio made a motion to accept and approve the minutes of the regular
22 council meeting of April 6, 2004, seconded by Councilperson Ward. Motion carried.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * Major Mike Hummel, 1117 Seventh Street, introduced himself to council as a Marshall County
27 Sheriff candidate.

28
29 **OLD BUSINESS:**

30
31 **Discussion and Approval of an Ordinance Concerning Council Member's Salary. (Second**
32 **Reading)**

33
34 Attorney White read the following ordinance by title only to be passed by council on second
35 reading:

36
37 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
38 **VIRGINIA, AMENDING AND REENACTING SECTION 121.07 OF THE CODE OF**
39 **THE CITY OF MOUNDSVILLE, TO PROVIDE FOR AN INCREASE IN COUNCIL**
40 **MEMBER'S SALARY. (SECOND READING)**

41
42 Councilperson Simms made a motion to accept and approve the ordinance concerning council
43 member's salary, seconded by Councilperson Oiler.

1 Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 6 yeas.
2 Motion carried unanimously.
3

4 **Discussion and Approval of an Ordinance Concerning the Water Board's Compensation.**
5 **(Second Reading)**
6

7 Attorney White read the following ordinance by title only to be passed by council on second
8 reading:
9

10 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
11 **VIRGINIA, AMENDING AND REENACTING SECTION 145.05 OF THE CODE OF**
12 **THE CITY OF MOUNDSVILLE TO PROVIDE FOR AN INCREASE IN WATER**
13 **BOARD'S COMPENSATION. (SECOND READING)**
14

15 Councilperson Lemasters made a motion to accept and approve the ordinance concerning the
16 Water Board's Compensation, seconded by Councilperson Simms.
17

18 Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 6 yeas.
19 Motion carried unanimously.
20

21 **Discussion and Approval of an Ordinance Concerning the Sanitary Board's Compensation.**
22 **(Second Reading)**
23

24 Attorney White read the following ordinance by title only to be passed by council on second
25 reading:
26

27 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
28 **VIRGINIA, AMENDING AND REENACTING SECTION 143.04 OF THE CODE OF**
29 **THE CITY OF MOUNDSVILLE TO PROVIDE FOR AN INCREASE IN SANITARY**
30 **BOARD MEMBERS' COMPENSATION. (SECOND READING)**
31

32 Councilperson Lemasters made a motion to accept and approve the ordinance concerning the
33 Sanitary Board's Compensation, seconded by Councilperson Oiler.
34

35 Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 5 yeas, 1
36 abstain. Simms abstaining. Motion carried.
37

38 **Discussion and Approval of an Ordinance Concerning Sick Leave Accrual by Employees.**
39 **(Second Reading)**
40

41 Attorney White read the following ordinance by title only to be passed by council on second
42 reading:
43

1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
2 **VIRGINIA, AMENDING AND REENACTING SECTION 155.07(g) (2) OF THE**
3 **EMPLOYEE POLICY REGULATIONS OF THE CODE OF THE CITY OF**
4 **MOUNDSVILLE, TO PROVIDE FOR INCREASED MAXIMUM SICK LEAVE**
5 **ACCRUAL BY EMPLOYEES. (SECOND READING)**
6

7 Mayor Wallace made a motion to accept and approve the ordinance concerning employees policy
8 regulations, seconded by Councilperson Lemasters.
9

10 Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 6 yeas.
11 Motion carried unanimously.
12

13 **Discussion and Approval of an Ordinance Concerning Vacation for Employees with 25**
14 **Years of Service. (Second Reading)**
15

16 Attorney White read the following ordinance by title only to be passed by council on second
17 reading:
18

19 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
20 **VIRGINIA, AMENDING AND REENACTING SECTION 155.07(c)(7) OF THE**
21 **EMPLOYEES POLICY REGULATIONS OF THE CODE OF THE CITY OF**
22 **MOUNDSVILLE, TO PROVIDE FOR INCREASED VACATION FOR EMPLOYEES**
23 **WITH 25 YEARS OR MORE OF SERVICE. (SECOND READING)**
24

25 Councilperson Lemasters made a motion to accept and approve the ordinance concerning
26 employees policy regulations, seconded by Councilperson Simms.
27

28 Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 6 yeas.
29 Motion carried unanimously.
30

31 **Other Items to be Discussed by Council.**
32

33 * Councilperson Simms stated that he is getting numerous complaints on the traffic lights at 3rd
34 & Jefferson; 5th & Jefferson; 7th & Jefferson and 7th & Tomlinson. City Manager Hendershot
35 advised that he has recently sent a letter to the Head Engineer at the Department of Highways in
36 Charleston asking for assistance concerning the situation.
37

38 **NEW BUSINESS:**
39

40 **Discussion and Approval of the Levy Estimate for the 2004-2005 General Fund Budget.**
41

42 Councilperson Simms made a motion to approve the City of Moundsville's Levy Estimate for
43

1 the 2004-2005 General Fund Budget, seconded by Councilperson DiRemigio. Motion carried
2 unanimously.

3
4 **Discussion and Approval for Authorization to Submit Application for Drug & Violent**
5 **Crimes Control Program for the Prevention Resource Officer at Moundsville Jr. High**
6 **School.**

7
8 City Manager Hendershot noted that this application is an extension of the Prevention Resource
9 Officer program that is already in place at the Moundsville Jr High School.

10
11 Councilperson DiRemigio made a motion to authorize the application for the Drug & Violent
12 Crimes Control Program, seconded by Councilperson Lemasters. Motion carried unanimously.

13
14 **Discussion and Approval of an Ordinance Concerning the Open Governmental Meetings.**
15 **(First Reading)**

16
17 Attorney White read the following ordinance by title only to be passed by council on first
18 reading:

19
20 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
21 **VIRGINIA, AMENDING SECTION 121 OF SAID CODE TO PROVIDE FOR RULES**
22 **TO MAKE AVAILABLE, IN ADVANCE, THE DATE, TIME, PLACE AND AGENDA**
23 **OF ALL REGULARLY SCHEDULED MEETINGS OF THE MOUNDSVILLE CITY**
24 **COUNCIL TO THE PUBLIC AND NEWS MEDIA, AND FOR OTHER RULES**
25 **IMPLEMENTING OPEN GOVERNMENTAL MEETINGS. (FIRST READING)**

26
27 Councilperson DiRemigio made a motion to accept and approve the ordinance concerning open
28 governmental meetings, seconded by Councilperson Simms.

29
30 Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 6 yeas.
31 Motion carried unanimously.

32
33 **Other Items to be Discussed by Council.**

34
35 * Councilperson Simms noticed an article in the Moundsville Echo announcing that the
36 Environmental Resources Section of the West Virginia Division of Natural Resources is
37 accepting applications for Litter Control Grants. Applications must be postmarked no later than
38 May 31, 2004 for consideration for the next grant period. Matching grants up to \$3,000 are
39 available to eligible local governments and county commissions. City Manager Hendershot
40 advised that he will look into this grant program.

41
42 * Councilperson Simms asked Attorney White why the Employee Policy has to be in ordinance
43 form? Attorney White advised that council has to approve the policies.

1 **MANAGER ITEMS:**

2
3 **Letter from the Parks & Recreation Board.**

4
5 The Recreation Board expressed their gratitude to Chief Noel Clarke and the Fire Department for
6 cleaning up the debris around the boat docks at the Riverside Park.

7
8 **Bid Received for Infield Work at East End Ballfields.**

9
10 The Parks & Recreation Board announced they will be excepting the bid for infield work to the
11 East End Complex Ballfields from A.G. Design, Seville, OH in the amount of \$14,088.90.

12
13 **First Impressions Program.**

14
15 Allison Hanham of the West Virginia Extension Service would like to meet with council for the
16 presentation of the results of the First Impressions Program. They would like to ask that the
17 Chamber of Commerce and business representatives be invited to attend.

18
19 Council members agreed to meet on May 4, 2004 at 6:00 p.m.

20
21 **Pre-Bid Meeting for Fostoria Asbestos Inspection.**

22
23 A pre-bid meeting for the Fostoria asbestos inspection will be held on Thursday, April 22, 2004
24 at 10:00 p.m.

25
26 **SAP Grant.**

27
28 The Water and Sanitary Boards have agreed to share the cost for an Environmental Review for
29 the SAP Grant for the Water & Sewer project in the area around the WV Penitentiary.
30 Congressman Mollahan provided \$182,000 through special appropriations and Delegate Varner
31 provided \$68,000 from the State Digest.

32
33 **PSC Hearing Postponed.**

34
35 The Public Service Commission has postponed the hearing on May 3 for 30 days.

36
37 **Student Government Day.**

38
39 City Manager Hendershot spoke to Moundsville Jr High School teacher, Mike Eskridge, asking
40 to schedule Student Government Day for May 18, 2004.

1 **MAYOR ITEMS:**

2
3 The American Legion Auxiliary Post #3 is asking council's help to increase awareness about the
4 memorial poppy and what it represents as a symbol of price of war and the sacrifice of millions.
5 They are asking that every elected and appointed official at the local and county level wear a
6 poppy in observance of Memorial Day, Monday, May 31, 2004.
7

8 **COMMITTEE REPORTS:**

9
10 **Discussion and Approval of Recommendations by the Finance Committee.**

11
12 Nothing at this time.
13

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

15
16 The Traffic Committee recommended to approve the handicapped parking space at 1603 Seventh
17 Street.
18

19 Councilperson DiRemigio made a motion to approve the handicapped parking space at 1603
20 Seventh Street, seconded by Councilperson Simms. Motion carried unanimously.
21

22 The following requests for handicapped parking have been denied:
23

- 24 1. 1419 Second Street
25 2. 66 Oak Avenue
26

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

28
29 Nothing at this time.
30

31 **Discussion and Approval of Recommendations by the Parks & Recreation Board.**

32
33 Councilperson Lemasters is asking citizens of Moundsville to attend the Parks & Recreation
34 Board Meeting on May 20, 2004 at 7:00 p.m. for concerns on the Horseshoe Pits at the
35 Riverfront Park. The board is discussing the removal of the courts.
36

37 **COUNCIL ITEMS:**

38
39 * **DiRemigio** - Discussed the City's Finances with CPA Tom Dobbs who advised that the city
40 appears to be solid.
41

42 * **Lemasters** - Asked Chief Kudlak if officers are still writing down a list of burned out street
43 lights? Chief Kudlak advised they are.

1 * Asked Street Commissioner Richmond about the emulsion tank being placed on the side of the
2 building. Mr. Richmond advised that they are almost ready to pour the pad.

3
4 * Asked if the city has a map for Valley Fork Park near Maxwell Acres.

5
6 * **Oiler** - Received complaints on the alley between 8th & 9th Street and Parriott Avenue &
7 Grant Avenue.

8
9 * Also, the alley needs fixed on Ash Avenue near 8th Street.

10
11 * **Simms** - Nothing at this time. (Councilperson Simms gave a few minutes of his time to Mayor
12 Wallace)

13
14 * **Wallace** - Announced the Pep Club Members: George Hinerman, Karen Neubauer, Mike
15 Kudlak.

16
17 * **Ward** - Asked that council send cards to former council members who have been ill: Don Hill
18 and Victor Hess.

19
20 Councilperson Ward made a motion to adjourn, seconded by Councilperson Simms. Motion
21 carried unanimously.

22
23 Meeting adjourned at 7:55 p.m.

24
25
26
27
28
29 _____
Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor