

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **MAY 4, 2004**

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

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

8
9 Invocation by City Manager Allen Hendershot.

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

16
17 **MINUTES:**

18
19 **Regular Council Meeting of April 20, 2004.**

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

24
25 **GENERAL PUBLIC HEARING:**

26
27 * John Gruzinskas, 321 Second Street, Glen Dale, introduced himself to council as a Marshall
28 County Sheriff candidate.

29
30 * Gary Coe, 1026 Morton Avenue, spoke to council about the possibility of abandoning the alley
31 behind his house where the grass is grown up and junk vehicles are parked.

32
33 After a brief discussion, Mayor Wallace recommended that matter be sent to the Traffic
34 Committee.

35
36 * Jane Klug, 2015 Jackson Street, representing Marshall County Special Olympics announced
37 that Special Olympics will be held on May 7, 2004 at the Moundsville Stadium for track and
38 field events. She asked if an officer could be present at the event and also requested council to
39 proclaim May 7, 2004 as Special Olympics Day. Opening ceremonies are at 10:00 a.m.

40
41 Councilperson DiRemigio made a motion to proclaim May 7, 2004 as "Special Olympics Day",
42 seconded by Councilperson Trussell. Motion carried unanimously.

1 **OLD BUSINESS:**

2
3 **Discussion and Approval of an Ordinance Concerning Open Governmental Meetings.**
4 **(Second Reading)**

5
6 Attorney White read the following ordinance by title only to be passed by council on second
7 reading:

8
9 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
10 **VIRGINIA, AMENDING THE CODE OF THE CITY OF MOUNDSVILLE BY**
11 **AMENDING SECTION 121 OF SAID CODE TO PROVIDE FOR RULES TO MAKE**
12 **AVAILABLE, IN ADVANCE, THE DATE, TIME, PLACE AND AGENDA OF ALL**
13 **REGULARLY SCHEDULED MEETINGS OF THE MOUNDSVILLE CITY COUNCIL**
14 **TO THE PUBLIC AND NEWS MEDIA, AND FOR OTHER RULES IMPLEMENTING**
15 **OPEN GOVERNMENTAL MEETINGS. (SECOND READING)**

16
17 Councilperson DiRemigio made a motion to accept and approve the Open Governmental
18 Meetings ordinance, seconded by Councilperson Trussell.

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

22
23 **Other Items to be Discussed by Council.**

24
25 * Councilperson Trussell informed council that owners of the house located at Second Street and
26 Olive Avenue have not maintained their agreement to repair the residence. City Manager
27 Hendershot advised he will follow up on the matter.

28
29 * Mayor Wallace announced that he was pleased with the presentation on the "First Impressions"
30 project.

31
32 **NEW BUSINESS:**

33
34 **Discussion and Approval of a Resolution Authorizing an Application for a Matching Fund**
35 **Grant for Litter Control.**

36
37 Manager Hendershot received a packet for application on the Litter Control Grant. The
38 Environmental Resources Section of the West Virginia Division of Natural Resources will be
39 accepting applications no later than May 31, 2004 for consideration for the net grant period.
40 Matching grants up to \$3,000 are available to eligible local governments and county
41 commissions.
42
43

1 Councilperson DiRemigio made a motion to authorize City Manager Hendershot to apply for the
2 Litter Control Grant, seconded by Councilperson Oiler. Motion carried unanimously.

3
4 **Discussion and Approval of Payment to Gwin, Dobson & Foreman in the Amount of**
5 **\$465.00 for the Moundsville Water Treatment Plant Project.**

6
7 Councilperson Lemasters made a motion to authorize payment of \$465.00 to Gwin, Dobson &
8 Foreman for the Moundsville Water Treatment Plant Project, seconded by Councilperson
9 DiRemigio. Motion carried unanimously.

10
11 **Discussion and Approval of Payment to Gwin, Dobson & Foreman in the Amount of**
12 **\$14,124.82 for the Moundsville Water Treatment Plant Project.**

13
14 Councilperson DiRemigio made a motion to authorize payment to Gwin, Dobson & Foreman in
15 the Amount of \$14,124.82 for the Moundsville Water Treatment Plant Project, seconded by
16 Councilperson Lemasters. Motion carried unanimously.

17
18 **Discussion and Approval of Payment to James V. Kelsh in the Amount of \$1,374.37 for the**
19 **Moundsville Water Treatment Plant Project.**

20
21 Councilperson Lemasters made a motion to authorize payment of \$1,374.37 to James V. Kelsh
22 for the Moundsville Water Treatment Plant Project, seconded by Councilperson Oiler. Motion
23 carried unanimously.

24
25 **MANAGER ITEMS:**

26
27 **Paving List.**

28
29 Manager Hendershot submitted a paving list to council members with quotes supplied by
30 Stegman & Schellhase Inc.

31
32 Councilperson DiRemigio made a motion to send this matter to the Traffic Committee, seconded
33 by Councilperson Ward. Motion carried unanimously.

34
35 **Residents Complaint.**

36
37 A group of residents near 2300 First Street complained about the need for repair to the residence
38 and junk the needs cleaned up in the yard. City Manager Hendershot advised they he spoke to
39 the Chief of Police and the Building Inspector concerning this property who are pursuing the
40 matter.

41
42 Councilperson Lemasters made a motion to receive and file the complaint, seconded by
43 Councilperson Oiler. Motion carried unanimously.

1 **Moundsville Traffic Light Update.**

2
3 City Manager Hendershot previously sent a letter to WV Department of Highways asking that
4 the Traffic Engineering Division make adjustments to three traffic signals in the City of
5 Moundsville. The changes have been made via remote access through the Closed Loop System
6 from the Charleston Office.

7
8 **Zoning Appeals Appointment. (Council's Appointment)**

9 City Manager Hendershot received a letter submitted by Nick James, 2201 Kanawha Street
10 expressing interest to serve on the Zoning Appeals Board. This is a three year term.

11
12 Councilperson DiRemigio made a motion to appoint Nick James to the Zoning Appeals Board,
13 seconded by Councilperson Trussell. Motion carried unanimously.

14
15 **Memo from Fire Chief Clarke.**

16
17 Fire Chief Clarke submitted a memo to the City Manager advising that equipment for the
18 Moundsville Fire Department secured through training the fire department and police department
19 to the Hazardous Materials Operations Level will arrive on May 10, 2004. A training session
20 will be held on the new equipment.

21
22 **Homeland Security Grant.**

23
24 Police Chief Kudlak and Fire Chief Clarke will be attending a workshop at the Embassy Suites in
25 Charleston to obtain grant documents that explain the restrictions associated with the grants. The
26 City of Moundsville is one of 21 cities that will receive the Homeland Security Grant. The
27 purpose of these grants are to improve the city's homeland security and ability to respond to acts
28 of terrorism.

29
30 **Marshall County Animal Rescue League & KIND Program.**

31
32 The KIND program, sponsored by the Marshall County Animal Rescue League, is asking for
33 donations due to continued growth of the program and cost of the picnics that are held every year
34 for the community children.

35
36 Councilperson Lemasters made a motion to send this matter to the Finance Committee, seconded
37 by Councilperson DiRemigio. Motion carried unanimously.

38
39 **Public Service Commission Hearing.**

40
41 The Judge in the Public Service Commission Hearing on the Water Plant has scheduled a hearing
42 on Tuesday, May 18, 2004 beginning at 1:00 p.m. This hearing will be lengthy. A regular
43

1 council meeting is also scheduled for that date as well. City Manager Hendershot asked council
2 members if they wish to change the council meeting to accomidate the hearing and if so to
3 choose which night.
4

5 Councilperson DiRemigio made a motion to change the regular council meeting of May 18, 2004
6 to May 19, 2004, seconded by Councilperson Oiler. Motion carried unanimously.
7

8 **Mock Riot.**

9

10 City Manager Hendershot announced that the Mock Riot will be ending on Wednesday, May 5,
11 2004 and good reviews were received for this years training session. Also, Marine training will
12 be conducted on Saturday, May 8, 2004 at the training center.
13

14 **Moundsville/Glen Dale Trail Ribbon Cutting.**

15

16 The Moundsville/Glen Dale Trail ribbon cutting was held on Sunday, May 2, 2004 with Vice
17 Mayor DiRemigio speaking.
18

19 **Annual Summer Municipal League Conference.**

20

21 The summer conference for the Municipal League will be held on August 12-14, 2004 in
22 Morgantown at the Radisson. Council members wishing to attend must contact Marilyn
23 Kaufman at the City Clerk's Office.
24

25 **Fostoria Asbestos Inspection Bids.**

26

27 City Manager Hendershot announced that bids were received for the Fostoria Asbestos
28 Inspection from August Mack Environmental at \$28,000 and PSI (Professional Services
29 Industries) at \$21,850. Delegate Varner obtained \$17,525 from a digest grant which leaves
30 \$4,325. The City Manager asked that the city obtain the remaining balance for the inspection.
31

32 Councilperson DiRemigio made a motion to authorize the City of Moundsville to obtain the
33 remaining balance of \$4,325, seconded by Councilperson Lemasters. Motion carried
34 unanimously.
35

36 **Other Items to be Discussed by the City Manager.**

37

38 **Legal Publications Received.**

39

40 Attorney White submitted several legal publications from the Moundsville Daily Echo to be
41 received and file by council:
42

- 43 1. Ordinance Concerning Return to Work Policies.

2. Ordinance Concerning Employee Policy Regulations/Vacations
3. Ordinance Concerning Employee Policy Regulations/Sick Days
4. Ordinance Concerning Council Members Salaries
5. Ordinance Concerning Sanitary Board Compensation
6. Ordinance Concerning Water Board Compensation
7. Ordinance Concerning Open Governmental Meetings
8. City of Moundsville Levy Estimate 2004-2005
9. (4) Zoning Variances
10. Sealed bids for High Pressure Breathing System - Fire Department
11. Sealed bids for Dectron Dehumidification Unit - Four Seasons Pool
12. Sealed bids for Asbestos Inspection - Fostoria Glass Project

Councilperson Lemasters made a motion to receive and file the above legal publications, seconded by Councilperson DiRemigio. Motion carried unanimously.

MAYOR ITEMS:

* Mayor Wallace stressed the importance of voting on May 11, 2004 to all citizens of Marshall County.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Councilperson Lemasters scheduled a Finance Meeting on May 12, 2004 at 6:00 p.m.

Discussion and Approval of Recommendations by the Traffic Committee.

Councilperson DiRemigio scheduled a Traffic Meeting following the Finance Meeting.

Discussion and Approval of Recommendations by the Policy Committee.

Councilperson DiRemigio announced that a Policy Meeting will follow the Traffic Meeting.

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

Councilperson Lemasters advised that the Parks & Recreation will meet on May 20, 2004 to discuss the Horseshoe Pits are the Riverside Park.

COUNCIL ITEMS:

* **DiRemigio** - Commends the City Manager, Police Chief and Fire Chief for the pursuing of grants for the City of Moundsville.

1 * **Lemasters** - Asked if Firefighter Mike Whitwam resigned and was he replaced? City Manager
2 Hendershot advised that he did resign and yes he will be replace through proper Civil Service
3 procedures.
4

5 * Wished to thank Sandy Yoho, Secretary of the Parks & Recreation Board, for her assistance
6 during the board meetings.
7

8 * Asked that citizens do not place/blow grass clippings in the street.
9

10 * Parking Meters have not been replaced on Baker Avenue. City Manager advised that the city
11 does not have any spare meters at this time.
12

13 * Discussed the possibility of having a Building Inspector work on Saturdays.
14

15 * Street needs patched on Juniper Avenue.
16

17 * The street has dropped in front of 1813 Third Street.
18

19 * Mayor Wallace asked that Purdy Avenue by patched in several areas.
20

21 * **Oiler** - Nothing at this time.
22

23 * **Trussell** - Reported that she had met some visitors from the Mock Riot who stated how
24 impressed they were with the program and Moundsville.
25

26 * Reported a storm drain needs repaired on Poplar Avenue just off of First Street.
27

28 * **Ward** - Asked City Manager Hendershot for an update on residence at Park Street & Linden
29 Avenue. City Manager Hendershot advised that the Police Department is working on the
30 situation.
31

32 Councilperson Ward made a motion to hold an executive session for contractual matters,
33 seconded by Councilperson Lemasters. Motion carried unanimously.
34

35 Meeting recessed for 5 minutes at 8:17 p.m.
36

37 Executives Session began at 8:20 p.m.
38

39 Executive Session adjourned at 8:47 p.m.
40

41 Regular Session reconvened at 8:47 p.m.
42
43

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

3
4 Meeting adjourned at 8:47 p.m.
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11 _____
Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor