

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **AUGUST 3, 2004**

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

6
7 Meeting was called to order by Mayor Ralph DiRemigio.

8
9 Invocation by City Manager Allen Hendershot.

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

15
16 **MINUTES:**

17
18 **Regular Council Meeting of July 20, 2004.**

19
20 Councilperson Oiler made a motion to accept and approve the minutes of the regular council
21 meeting of July 20, 2004, seconded by Councilperson Ward. Motion carried unanimously.

22
23 **GENERAL PUBLIC HEARING:**

24
25 * Betty Kachala, 31 Fostoria Avenue, opposed the ordinance concerning a charter change for the
26 municipal election nominating petitions & filing fee.

27
28 * Susan Hinerman, RD1 Box 142 C, Glen Easton, stated that she uses Four Seasons Pool every
29 day but complained that the plumbing is unsatisfactory. The water is very hot in the lavatory,
30 showers and hot tub.

31
32 * Elva Anderson, 1414 Third Street, oppose the \$100 fee stating the fee is too high. Council
33 should consider a lower fee.

34
35 * Jim Clark, 1328 Ruby Street, spoke to council concerning the horseshoe courts and playground
36 asking that the city place a porta-jon in the area. Mr. Clark already approached the Parks &
37 Recreation Board who advised that there were no funds for the request.

38
39 **OLD BUSINESS:**

40
41 **Other Items to be Discussed by Council.**

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43 * Councilperson Wallace asked for an update on Perkins Restaurant. Manager Hendershot

1 advised that Perkins has broke ground and contractors have dug the hole to begin the footer.
2 Mayor DiRemigio noted that the completion date is the first part of November.

3
4 **NEW BUSINESS:**

5
6 **Discussion and Approval of an Ordinance Concerning \$100 Filing Fee for Election**
7 **Candidates and Repealing the Nominating Petitions. (First Reading)**

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

11
12 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
13 **VIRGINIA, AMENDING AND REENACTING SECTION 48 OF THE CHARTER OF**
14 **THE SAID CITY OF MOUNDSVILLE TO REPEAL THE REQUIREMENTS FOR**
15 **NOMINATING PETITIONS FOR CANDIDATES FOR COUNCIL AND TO**
16 **ESTABLISH FILING FOR ELECTION BY CERTIFICATE OF CANDIDACY AND A**
17 **FILING FEE OF ONE HUNDRED DOLLARS (\$100). (FIRST READING)**

18
19 Councilperson Wallace made a motion to table this ordinance until further discussion and
20 research, seconded by Councilperson Oiler. Motion carried unanimously.

21
22 **Discussion and Approval of Request for Bids for Risk Management Program.**

23
24 City Manager Hendershot advised that two bids were received for the Risk Management
25 Program on August 2, 2004.

- 26
27 1) Earl E Shaw Jr \$11,600
28 13 Sandy Avenue
29 Moundsville WV
30
31 2) Commercial Insurance Services \$15,000
32 PO Box 1110
33 Wayne WV
34

35 Councilperson Lemasters made a motion to accept the low bid from Earl E Shaw Jr in the
36 amount of \$11,600, seconded by Councilperson Oiler. Motion carried unanimously.

37
38
39 **MANAGER ITEMS:**

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41 * Manager Hendershot announced the Moundsville Volunteer Fire/Rescue will be celebrating
42 their 50th Anniversary on Saturday, August 7, 2004 from 10:00 a.m. to 7:00 p.m. Open House,
43 Contests, Prizes and Chicken Dinners available.

1 **MAYOR ITEMS:**

2
3 * Mayor DiRemigio responded to the comments made by citizens concerning the filing fee and
4 nominating petitions ordinance stating that this ordinance would not take effect this election year
5 but at the 2006 Election. The \$100 filing fee was a starting point for council. The amount can be
6 changed, if council decides, before the final reading. Mayor DiRemigio also noted that
7 surrounded cities charge a filing fee from \$5 to \$75 with the exception of Cameron.

8
9 * Mayor DiRemigio asked how many summer works the city has hired. Street Commissioner
10 Richmond advised that five were hired but one moved away leaving four.

11
12 **Other Items to be Discussed by the Mayor.**

13
14 **Certifications of Publication by Attorney White.**

15
16 Attorney White presented several of the following certificates of publication be received and
17 filed by council:

- 18
19 1. Zoning Variance - 1410 Lafayette Avenue
20 2. Zoning Variance - 707 Baker Avenue
21 3. Candidate Filing
22 4. Risk Management Proposals
23 5. Fitness Equipment Bids
24 6. Haz Mat Equipment Bids
25 7. Zoning Variance - 323 Lafayette Avenue
26 8. Zoning Variance - 515 Jefferson Avenue

27
28 Councilperson Wallace made a motion to receive and file the certificates of publication,
29 seconded by Councilperson Ward. Motion carried unanimously.

30
31 **COMMITTEE REPORTS:**

32
33 **Discussion and Approval of Recommendations by the Finance Committee.**

34
35 A Finance Committee meeting was scheduled for Tuesday, August 10, 2004 at 6:00 p.m.

36
37 **Discussion and Approval of Recommendations by the Traffic Committee.**

38
39 A Traffic Committee meeting was scheduled for Tuesday, August 10, 2004 to follow the Finance
40 Meeting.

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

2
3 A Policy Committee meeting was scheduled for Tuesday, August 10, 2004 to follow the Traffic
4 Committee Meeting.

5
6 **Discussion and Approval of Recommendations by the Parks & Recreation Board.**

7
8 1. Approval of Bids for Fitness Machines at Four Seasons Pool and replacement of a
9 window in the guards room.

10
11 Councilperson Lemasters announced that the Parks & Recreation Board received bids for Fitness
12 Equipment at the Four Seasons Pool in the amount of \$5,920. The funds are from the estate of
13 Calvin Robbins in the amount of \$6500. The window was estimated at a cost of \$812. The
14 funds were received from the Marshall County Commissioners in the amount of \$1750.

15
16 **COUNCIL ITEMS:**

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18 * **Lemasters** - Received complaints of speeders on Clinton Avenue between Fourth Street &
19 Seventh Street. Asked that Chief Kudlak have area patrolled.

20
21 * Received complaints of abandoned cars in yards & driveways.

22
23 * Curbs need repaired on Clinton Avenue. Also the hole needs patched in front of Four Seasons
24 Pool.

25
26 * **Oiler** - Asked if the emulsion tank is ready. Street Commissioner Richmond advised they are
27 waiting on one timer.

28
29 * Asked who was responsible for fixing the street where the gas company fixed leaks on Seventh
30 Street & Washington Avenue? City Manager Hendershot advised that the gas company will
31 repair everything tear up.

32
33 Mayor DiRemigio called for a recess at 7:33 p.m.

34
35 Mayor DiRemigio reconvened at 7:42 p.m.

36
37 * **Wallace** - Explained that he asked for the \$100 filing fee because this is 2004 and surrounded
38 cities also charge a filing fee between \$5 & \$75. Also commented candidates will still have to
39 go door to door to speak with citizens before the election.

40
41 * Thanked the Moundsville Volunteer Fire Department for the invitation to the 50th Anniversary
42 Celebration.

1 *** Ward** - Asked that a yellow line be painted down the middle of the street at the bottom of
2 Cherokee Drive and Dorsey Street. Reported the street is separating in the same area. Also
3 reported that tree limbs are hanging over the street.
4

5 Councilperson Ward made a motion to go into an Executive Session for Contractual & Real
6 Estate matters, seconded by Councilperson Lemasters. Motion carried unanimously.
7

8 Meeting recessed at 7:47 p.m.
9

10 Meeting reconvened at 7:50 p.m.
11

12 Executive Session began at 7:50 p.m.
13

14 Executive Session adjourned at 9:38 p.m.
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16 Regular Session began at 9:38 p.m.
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18 Councilperson Ward made a motion to adjourn, seconded by Councilperson Lemasters. Motion
19 carried unanimously.
20

21 Meeting adjourned at 9:39 p.m.
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Sondra J. Hewitt, City Clerk

Ralph DiRemigio, Mayor